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# Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Monday 18 March 1991



# Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Le lundi 18 mars 1991

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 18 March 1991

The House met at 1332.

Prayers.

## REPORT OF COMMISSION ON ELECTION FINANCES

**The Speaker:** I beg to inform the House that I have today laid upon the table the 14th report of the Commission on Election Finances containing recommendations with respect to the indemnities and allowances of the members of the Legislative Assembly.

## LEGISLATIVE PAGES

**The Speaker:** I would ask all members to join me in welcoming the second group of pages to serve in the First Session of the 35th Parliament:

Benjamin Agnew, Wentworth East; Tyler Campbell, Sudbury; Elizabeth Clarkson, Brantford; Gregory Coughlin, Mississauga South; Lindsay Cunningham, Sault Ste. Marie; Ariella Elema, Dufferin-Peel; Jeanine Elston, Bruce; Emily Farrimond, Hastings-Peterborough; Jennifer Frohlich, Mississauga North; Calvin Hammett, Kenora; Kathleen Jackson, Norfolk; Jill Johnson, Windsor-Riverside; Brent Landry, Chatham-Kent; Patrick Lee, Scarborough-Agincourt; Joseph Maristanes, Scarborough-Ellesmere; Meaghan McFedries, Cobourg-Cummer; Michael Mullan, London Centre; Andrew Nowak, Waterloo North; Brenda-Lee Pineault, Saginaw-Manitoulin; Josée Racicot, Ottawa East; Laurel Rounsley, Essex South; Hemant Shah, Willowdale; Iain Wilson, Port Arthur; and Simon Woodside, Hamilton West. Would members please welcome the pages to our quarters.

## VISITORS

**The Speaker:** At the same time, I would ask all members of the assembly to recognize in the Speaker's gallery today the honorary Consul General of Jamaica to Toronto, Ray Baxter, and His Excellency Dale Anderson, the High Commissioner of Jamaica. Please join me in welcoming our guests.

## MEMBERS' STATEMENTS

### SHEPPARD SUBWAY

**Mrs Caplan:** In North York and in Scarborough communities they are very interested in the Sheppard subway proposal. In the last month, the Toronto Transit Commission held three public information sessions beginning a full environmental assessment study for the subway. Over 100 people attended these meetings.

The sessions dealt with the background material that has been collected and alternatives which have been examined by the TTC, ministries of the Environment and Transportation, engineering consultants, Metropolitan Toronto and North York staff.

According to Charles Wheeler, project manager for the TTC's Let's Move program, 88% to 90% of those who

responded said that Sheppard Avenue was the preferred corridor route and that the subway is the appropriate technology. The project would reduce traffic congestion and support growth in the cities of North York and Scarborough.

While concerns were expressed about noise levels, accessibility and the need for more parking at or near the subway terminals, the most frequently asked question was, "When will the Sheppard subway actually be built and when will construction begin?"

The public will is evident. I would urge the government to continue its support for the Let's Move program and the Sheppard subway.

## AGRICULTURAL INDUSTRY

**Mr Villeneuve:** The report on the Agricultural Finance Review Committee is now public.

The seven recommendations, in my opinion, list much of what can be done to improve the financial position of our agricultural sector. Unfortunately, what we see are only recommendations, not actions, and farmers cannot be forced to wait any longer to see if this government is committed to helping them.

Our farmers are not in trouble because they are bad farmers, they are in trouble because of what other governments are doing, be it at the provincial or other levels.

The fact is that here in Ontario net farm income will drop again this year. Farm income fell last year, the year before and the year before that. With luck, farmers will make as much this year as they did 10 years ago, but with 10 years of inflation to their incomes, they will be effectively placed well below the poverty line.

For Ontario farmers, 1990 was a dismal year largely due to the provincial government's decision to cut interest rate assistance while real interest rates themselves were rising to historic highs.

The problem in our agricultural sector is government made and this government must take the necessary steps to ensure that our programs and spending match those of other provinces. No one, particularly Ontario taxpayers, will benefit from any further erosion of our farming community.

The Agricultural Finance Review Committee has made seven recommendations. I must tell the Treasurer, this does not mean one, two or three, it means seven of them must be accepted.

## NORTHERN ONTARIO

**Mr Wood:** Over the past several weeks I have had the privilege to visit some of the most northerly points of Ontario with the honourable Minister of Tourism and Recreation, as well as the honourable minister Elaine Ziemba. We were greatly impressed with the friendly welcome we were given, by the vast beauty of the James Bay and Hudson's Bay coast.

Tourism will be interested to know about our unique Polar Bear Provincial Park, about rafting tours planned by



native Crees on the wild Albany River, about the fascinating train ride called the Polar Bear Express that links two new hotel complexes in the towns of Cochrane and Moose Factory.

1340

We also had the pleasure of the visit of the honourable Minister of Northern Development to Cochrane North. She announced a substantial grant to develop hundreds of miles of skidoo trails in the Hearst area for a proposed route from Sault Ste Marie to Moosonee.

Hearst now has a new tourist information centre which will provide tourists with even more details about year-round attractions, adding to similar tourist centres which have recently opened in Kapuskasing and Cochrane.

I do not need to say how good the fishing and camping are in the north, but we need the tourist people to stay in the north as they travel through Cochrane North. We have about 600,000 people who come through there and we would like them to stay and spend a few dollars. Hopefully, the tourist information centres at Cochrane, Hearst and Kapuskasing will attract that.

#### SHANNON WALSH

**Mrs McLeod:** The wilderness areas and provincial parks of Ontario have lost one of their true and strongest champions. Shan Walshe recently died at home in Quetico Park. He may have been the best-known Ministry of Natural Resources employee. He was the Quetico Park naturalist since 1970 and enjoyed sharing his love for nature with everyone at the Sportsman's Show.

Shan was a botanist and author. His regular column, *Lynx Tracks*, appeared in the *Atikokan Progress*. He was a tireless paddler and a seasoned woodsman. In 1980, he snowshoed solo across Quetico in six and a half days. He was an environmentalist who loved all that was wild and natural. Shan was the conscience of Quetico and he was an ambassador for the provincial parks of this province.

Shan Walshe was special and he will be missed. I extend my sympathy to his wife Margie and his children, Patrick, Shannon, Kathleen and Bridget.

#### CHILD AND FAMILY SERVICES

**Mrs Marland:** I must say at the outset I do not think I ever remember seeing so many people here for prayers. I guess that means that the future of Ontario is secure after all.

My statement is on children's and family services in Peel. It should go without saying that the future of our society depends upon the health and wellbeing of our children and families, yet in the region of Peel, children's and family service agencies can help only a fraction of the people who require their services because funding falls far short of need.

These agencies feel so strongly about the funding shortfall that they have formed the Fair Share for Peel Task Force and have written an excellent report. Their report points out that on a per capita basis, Peel receives far less provincial government funding than Metropolitan Toronto or even the provincial average. For example, in 1989, children's services funding was only \$93.62 per capita in

Peel, compared with \$353.75 in Metropolitan Toronto and a provincial average of \$223.82.

Why should this funding be so inequitable? In one case I know personally a woman and her daughter must spend over two hours commuting by public transit to Toronto on Sundays in order to receive counselling to help them recover from severe abuse by the husband and father. It should have been possible for this woman and her daughter to receive counselling in their own community. The Fair Share for Peel Task Force is about the urgency of helping real people face real crisis on a daily basis.

#### VILLAGE OF WELLINGTON

**Mr Johnson:** Today I would like to bring some well-deserved recognition to a small village in my riding. It is the village of Wellington in Prince Edward county. The councillors, the reeve and the Wellington Lion's Club, with some funding from the Ministry of the Environment, have undertaken a very ambitious program to make the village of Wellington 100% compost-free; that is, they are going to eliminate compost and organic materials from their garbage and that will save them certainly a substantial amount of money and will divert this waste material from landfill sites in the area.

They are using compost barrels that are manufactured locally, so they are supporting some local endeavours. I think it is the kind of recognition that we need to bring to the House and it is the kind of example that we would like to see other municipalities undertake in the province of Ontario.

The village of Wellington expects to have 100% compliance with this by some time this year. They want everyone to know it has been only 30% so far. That has something to do with implementing the program during the winter months, but they are very optimistic. I expect they will be able to meet 100% compliance and it is a challenge I am sure they make to other communities in Ontario.

#### MARC LAVIOLETTE

**Mr Chiarelli:** I rise today to congratulate the newly appointed mayor of Ottawa, Marc Laviolette. Mr Laviolette was appointed on 18 February to replace outgoing mayor Jim Durrell, who has moved on to take the position as president of Ottawa's new NHL franchise, the Ottawa Senators. Mr Laviolette is no newcomer to Ottawa politics. First elected as alderman for Ottawa's By-Rideau ward in 1980, he was re-elected in 1983, 1985 and 1988. Born and raised in Ottawa, Mr Laviolette is a graduate of the University of Ottawa and has been a teacher in Ottawa-Carleton for a number of years.

Les solides racines du maire Laviolette dans Ottawa et sa compréhension des aspirations de ses citoyens seront des atouts certains pour la communauté.

In filling the mayoralty chair until the next municipal election, Mr Laviolette has strong support from the council, his constituents and the many citizens throughout Ottawa. Again I offer my congratulations and I join with my Ottawa-Carleton colleagues in offering him full co-operation and wishing him every success over the length of his term.



## PAY EQUITY

**Mr Jackson:** I rise to bring to the House's attention another example that the NDP government's Agenda for People was in fact truly an agenda for election only.

This government's announcement of 31 January against day care workers in this province, who are almost entirely women, is patently unfair and discriminatory. The fact is, before the election and until that announcement we had headlines like: "The NDP will not ignore private day care. NDP promises restructuring of Ontario child care system." Today, because of these discriminatory funding practices by this government against women, we get titles like headlines in The Toronto Star, "Cheated day care workers vow to fight Rae at the polls."

We now understand that the \$2,000 bump funding for the non-profit sector day care workers—we now find that the government refused to announce on 31 January that it was also excluding municipalities, community colleges and the Young Men's Christian Association across this province which service almost 10,000 child care spaces in this province. Where are they supposed to get the money? Well, I can tell members, in Toronto it will mean \$700,000 increases in the fees that those families will have to pay.

If this is the Premier's answer to the women of Ontario—we know what he said before the election—it is an awful shame that he has to stand up and defend a discriminatory practice for funding for these women.

## CITY OF ST CATHARINES

**Ms Haeck:** I rise today to share with you an article that extols the virtues of St Catharines, Ontario, my hometown and part of the constituency that I represent in this legislature.

I was pleased this weekend to read in the April issue of *Chatelaine* magazine an article entitled, "Ten Best Cities to Live in Canada." What particularly pleased me was to find that part of my constituency, St Catharines, is the fifth of the cities named in that article.

St Catharines is favourably noted for its "small-town ambience and big-city cultural opportunities, its affordable house prices...and a less frantic pace," referring to its commuting times as "a dream come true for traffic-crazed urbanites." It refers to "its bountiful gardens, leafy streets and well-preserved Victorian neighbourhoods," its facilities and its mood that is "definitely upbeat."

Accompanying the article are a series of photos showing the curving streetscape of downtown St Paul Street as well as two photos of local sports and entertainment activities, one showing a game featuring the Baby Jays, the Toronto Blue Jays farm team, the other showing a race in the world-famous Henley rowing regatta. In short, it tells a lot of us, the residents of St Catharines, what we have long known about the virtues of our city. It reminds some of us just how well off we are and it trumpets those virtues throughout the rest of the province and throughout Canada at large.

1350

## VISITOR

**The Speaker:** Before continuing, members may also wish to welcome to our midst today a former member for Sudbury, Sterling Campbell, seated in the gallery.

## DEATH OF FORMER MEMBER

**Mr Harris:** Mr Speaker, I wonder if I could have a few moments, with unanimous consent, to say a few words about the passing of a former colleague of ours, Mickey Hennessy.

Agreed to.

**Mr Harris:** Thank you very much, Mr Speaker. While we were in recess, as I indicated, a friend and colleague and a fellow northerner passed away. Mickey Hennessy was first elected in 1977 in Fort William, the community he still called, to his death, Fort William, not Thunder Bay. He was first elected at the age of 62, a time when many people are thinking of retirement. Many are suggesting retirement should have happened long before that period of time he began his career.

I would suggest that if there is anything such as having a genius for appreciating life, then I think Mickey Hennessy had that ability. He had a very human touch. He was small in stature, as many of us know, but he was very big in heart. He was good at so many things. He was not good about hiding how he felt, and I am sure that my caucus colleagues of 1981 to 1987 will permit me to reveal some of what went on at caucus at that time, as confidential as caucus discussions always are.

Interjection.

**Mr Harris:** Those who have been in government regale at that statement.

When the leader of our party at the time, the Premier of the day, Mr Davis, would come into caucus and would tell us what we had all decided, it was not cabinet members, it was not the chairperson of caucus who suggested there were other alternatives or other viewpoints; it inevitably was Mickey Hennessy who brought a touch of the common person back to the caucus discussions and to the policies that were being proposed and he did this consistently, I might say, much to the delight of all of us in caucus, but I suspect to the delight of the Premier as well.

He was very sentimental about family, about his city, about his province, about his country and it showed. He was caring of people in a very non-partisan way. When we had our caucus meetings every Tuesday, that was breakfast as well. That is how they enticed us to get there on time. Breakfast was buns, pastries, juice and what not and at the end of caucus there was always a fair bit of food left around. Sometimes we had lunch in our caucus meetings. There would be sandwiches left and Mickey took it upon himself to grab all that food at the end and he would distribute it among those in this building who he thought were most needy; perhaps those who were here at that time were the beneficiaries of that. In a sense, it was the Queen's Park food bank. It certainly served a purpose.

Many of us will recall and his constituents will recall that when he flew home every Friday, he would go



through members' offices, he would go through the caucus room and he would gather up all the Friday newspapers, the Toronto papers, because in Thunder Bay they did not get there till the next day. He would take them with him on the plane and he would give them out to his constituents at the airport and as he was heading down to his office in downtown because they would not get this news until Saturday. As well, as we always suspected in many parts of the north, the editions we got were not the same ones as Toronto anyway, and so if you really wanted to find out what was going on down here, as some of them wanted to and others could not care less, you relied on Mickey on Fridays. Many people told me those stories.

In a sense he was a Queen's Park blue box long before blue boxes were brought in. He was recycling Toronto newspapers. He was taking Toronto trash and putting it to good use in northern Ontario, things that are now being talked about and discussed decades after he pioneered many of these things.

I suggest to members, and I think all would concur who knew him, that his only interest as a politician was in helping others, those he served, those he served with, certainly those he served alongside in all of the parties.

I think he would want me to remember this day in the Legislature to give you the non-partisan side of Mickey and to tell members how far he was ahead in saying and suggesting that there should be more free votes in the Legislature, that we should be representing our constituents' views, not government policy. That was his attitude, something that is now being talked about in many quarters across Canada and certainly in this province.

But there was a day when a non-confidence motion was introduced by the Liberals condemning the government and suggesting it should be thrown out of office for thinking about purchasing a government jet for corporate travel.

**Mr Nixon:** What a mistake that was.

**Mr Harris:** The leader of the Liberal Party points out what a mistake that was because many of them, once they got into cabinet said, "Why did we fight so hard to get rid of that jet, because it takes us four and a half hours to get up to Thunder Bay and Kenora and to travel this province?" But the government rationale at the time, as I recall it—it was in all our briefing books, it was the Bible when we were asked—was that we needed to be able to get cabinet ministers and the Premier and senior bureaucrats around this province faster, particularly to Thunder Bay and to northwestern Ontario.

Many of the southern Ontario members were a little embarrassed by all this, the controversy it was generating, but they were selling it, "Oh, well, it is not for us here in Ottawa, of course, or in London or in Toronto; it is for Ontarians of northern Ontario."

Then the vote came. This was a confidence vote. This was not just a private member's bill. This was not a government bill. This was the confidence about whether the government should carry on or not. And there, to the chagrin of all the southern Ontario members of the PC caucus of that time and indeed the cabinet and the Premier, was

Mickey Hennessy voting against the government, voting against the party, voting against buying this jet.

He in effect set policy that day and of course when the Premier heard the rumour about this jet being bought he quickly moved to buy two water bombers instead, but it was Mickey who always had a way of making sure that everybody understood where he stood and where his constituents stood and he pioneered those free votes.

Even after he left Queen's Park in 1987, Mickey, with his big, green parka with that old twisted toque he wore, was still a familiar sight when he came to visit. I think a tribute to his relationship with the people was shown when he ran again for Thunder Bay council and won in a landslide, now well into his 70s. Today, as I walked through the halls of Queen's Park, I found myself thinking about that familiar green parka and that old twisted toque. I realized how much I missed, and I think all who knew him missed, the little Irish guy from Thunder Bay.

I believe we have lost a real fighter for democracy, a real fighter for the average guy to have access to government and to power.

I want to close by saying that I am told that a new sports facility is being built in Thunder Bay. Undoubtedly there will be a whole whack of government money involved in it, and I would suggest to those who may be involved in that that it might be a fitting tribute to the memory of one of the people were it to be named in memory of Mickey Hennessy.

1400

**Hon Ms Wark-Martyn:** On 5 March Thunder Bay and Ontario suffered a great loss: Mickey Hennessy passed away. Mickey was known as Mickey in the community and everybody knew where to find Mickey. Mickey was a man who definitely has left his mark, and now as the community goes out to functions he is a man for whom we all grieve when we know that he is not there any longer.

Mickey represented Fort William riding from 1977 to 1987 and was at that time deputy whip and parliamentary assistant to the Minister of Northern Affairs. People will remember Mickey's devotion to public service and to people. Queen's Park, however, was only a fraction of his career. He served on Fort William city council from 1962 to 1969 and also on Thunder Bay council, seven years after amalgamation.

Mickey was a man who saw something good in all people. Two examples that I have had of this are when he supported me during my recent campaign in the election and was apparent in a lot of events that occurred during my campaign and was also in contact with our now Premier. He believed in people and he believed in people who also believed in people. During his funeral there were people from all walks of life, people who meant something to Mickey and people who saw something in Mickey and knew that Mickey was someone they could talk to. Regardless of his party or regardless of what he had to say Mickey would always listen and respond with what was on his mind.

During the election in 1988 Mickey received the highest number of votes of any alderman in an election



Mickey also died less than 24 hours after attending the last city council meeting that he attended.

As a member from Thunder Bay, I wish you all as members of this House to join me in sending sympathy to Mickey's family and the community.

**Mrs McLeod:** I too am honoured to be able to share this tribute to Mickey Hennessy on behalf of my party, as a representative of my community and as a representative of the Fort William riding. Everyone who knew Mickey here in the Legislature when he served his years as a member for Fort William can attest to the fact that Mickey was indeed very much his own person. He was a Conservative MPP, but I know that all the local Tories back home would agree that Mickey's support crossed traditional lines. People voted for Mickey because they knew him and because they liked him.

Mickey was a national boxing champion during the 1930s and he brought that combative, feisty style into his political roles. He certainly never pulled any punches, and in the best tradition of sports Mickey called every play exactly as he saw it. All of us at home knew of Mickey's long-time career and his love of sports. As a boxer, he was not only a Canadian champion but he was a member of the 1936 Canadian Olympic boxing team and he was inducted into the Canadian Boxing Hall of Fame in 1977. Mickey and his family came to Thunder Bay in the 1950s when Mickey was a scout for the Montreal Canadiens, and he subsequently became a volunteer coach of the Fort William Canadians junior hockey team. Mickey coached that team for 11 seasons and they won 11 district titles.

But most of us, of course, knew Mickey primarily as a politician. He served the people of Fort William and Thunder Bay during 29 years in public office, as an alderman, as an MPP and then as alderman again. Mickey and I were political colleagues for 20 of those years, although I must tell the leader of the third party I do not remember ever having been the recipient of a newspaper. Mickey was an alderman and MPP while I served on the school board and when he was back on council while I took his seat here at Queen's Park.

I was asked just shortly after his death whether Mickey had been a worthy opponent in the 1987 election. There was certainly no question about that. Mickey was considered to be unbeatable. Mickey's record of success in politics was equally as strong as his success story in sports, and his personal popularity in our community was absolutely indisputable. The measure of that popularity is indeed the fact that he went on to lead the polls again in his election as alderman in 1988.

Mickey worked tirelessly for the voters of Fort William and for the citizens of Thunder Bay. He knew his constituency, he knew its problems, he knew the concerns that people had; and people in turn knew that he was interested, that he cared, that he would act on their behalf. Mickey was literally everywhere in our community.

People at home in Thunder Bay were shocked and saddened by his death. It is true that he had attended a council meeting literally hours before he died, and it seems appropriate that he would pass away as active and vital a member of our community as he had always been. Because he

was so active and such a vital member of our community, it seems hard to imagine life and politics in our community without his presence.

I was not able to be at home for Mickey's funeral, but I am told that the cathedral was indeed filled with many, many people whose lives Mickey had touched. He will be missed and he will be long remembered.

**Hon Mr Rae:** I wonder if I might just be permitted a personal word, to say that Mickey Hennessy was loved by all members of the House who worked with him. He was one of those rare politicians who earned not only the respect but also the affection of people in all parties who knew and loved him. His family has suffered a loss; so has his community of Fort William and Thunder Bay; so obviously have his party and caucus and former colleagues. But I know that I speak for all members of the House when I say that this is an occasion to celebrate a good life that was fully lived with great gusto and affection for other people. He is somebody I think a lot of us might try to emulate—certainly our young people as they look for people in public life—and he is somebody who will be missed by all of us.

**The Speaker:** Your kind and thoughtful comments, as recorded in today's Hansard, will be sent to the family along with the deepest sympathies from all of us here, including the Speaker, who knew him well and had a great fondness and affection for him. We will forward those comments to his family.

## STATEMENT BY THE MINISTRY

### ECONOMIC OUTLOOK

**Hon Mr Laughren:** I would like to give the House an update on recent developments in the economy and share Treasury's current outlook as we prepare for the spring budget.

Since I last reported to members in early December, economic conditions in Ontario have deteriorated. At the time I indicated that, despite the various uncertainties involved, we anticipated modest positive growth in 1991. A number of significant developments have occurred since then which make the outlook clearer, if not brighter.

Traditionally, Treasury would issue its next economic forecast revisions with the budget. However, in light of the unemployment figures released earlier this month, I felt it was important to share with this Legislature the unprecedented effects this recession has had on our province.

The Statistics Canada employment figures released on 8 March show that Ontario has suffered the worst job losses since the Second World War: 196,000 jobs have been eliminated in this province over the last four months. The unemployment rate, which was already at a disturbingly high 7.2%, has now soared to 9.5%. The economic effects are serious and the human costs are enormous.

We have heard from many groups on the continuing and deepening recession, both at the standing committee on finance and economic affairs and in pre-budget consultations. In addition, the United States recession has deepened and Canada's federal budget has failed to provide



support for the economies of Canada and Ontario and has instead aggravated the downturn.

In the final quarter of 1990, the Canadian economy recorded its sharpest quarterly decline since the first quarter of 1982, and early indications are that the current quarter may be worse. With its large manufacturing base, Ontario's economy has been hit even harder.

There is no question that the recession will be much deeper than expected last fall. Real output is expected to decline by more than 3% in 1991. The unemployment rate is expected to rise above 10% in the coming months. Moreover, the recovery is likely to be weaker than in the mid-1980s.

1410

In terms of impact on employment, this recession now rivals the 1981-82 recession as the most severe downturn in the post-Second-World-War period. Over the past 12 months employment in Ontario has declined by 260,000 jobs, eclipsing the 223,000 jobs lost in 1981-82.

The deep and long recession we now expect is due largely to the restrictive monetary and budget policies of the federal government. While interest rates have fallen, they remain excessively high relative to US rates. The resulting overvalued dollar, combined with the free trade agreement, is producing severe dislocation in Canada's industrial sector.

We are experiencing not only the effects of a serious cyclical downturn but long-lasting structural changes that are disrupting the lives of hundreds of thousands of workers and will impede the pace of our recovery. A fundamental difference during this recession is the higher proportion of workers affected by permanent plant closures rather than temporary layoffs. This is a particular concern, because those jobs will not be there when these workers return once the recession is over.

Unlike Ottawa, Ontario has taken action to counter the recession. We do not pretend that any government can offset the full impact of such a serious downturn, but where Ottawa has capped its support to social assistance programs, we have filled the gap and committed the funds needed to keep this vital support flowing.

Our anti-recession plan is providing results. In my December economic statement, I announced details of the province's \$700-million anti-recession program. I am pleased to report that as of today more than 1,300 projects have received approval to proceed under the program and more than \$478 million has been committed by 19 ministries. More announcements will be made soon, completing the program's \$700-million commitment.

School boards, municipalities and other local agencies such as hospitals are sharing in the cost of projects. As a result, spending is expected to reach a combined total of approximately \$940 million when the full program has been implemented.

With the impact of the recession, pressure continues on our budgetary position this year. As a result of continued revenue weakness and higher recession-related costs, I now expect the deficit for this fiscal year to be about \$3 billion.

There is some good news, however. Despite the economy's poor current performance, some of the conditions for a recovery are beginning to emerge. Interest rates have come down, the stock market has strengthened and the housing market appears to have stabilized. However, we do not expect this recovery to take hold until the summer at the earliest.

I want to assure the Legislature that as the economy begins its recovery, however slowly, the government will be addressing both the deficit and the challenges of these new structural changes in our economy.

## RESPONSES

### ECONOMIC OUTLOOK

**Mr Bradley:** The Treasurer has announced to the House what is already obvious to the people of the province of Ontario, and that is that we are in an extremely deep recession in this province and that we in Ontario are experiencing the greatest difficulty—in other words, the worst unemployment record—of any of the provinces in Canada. In fact, if you look at the figures, you will find that six of the other provinces have had a net gain in permanent jobs, even though they are experiencing some unemployment problems as well. With, I think, a 10.4% unemployment rate at the present time compared to about 6% a year, manufacturing jobs down some 153,000, and 310,000 fewer full-time jobs in the province of Ontario than this time last year, you can see that it is indeed a very significant recession we are in.

The response of the government has simply not been sufficient. Naturally, we have the usual excuse that it is the federal government, and by gosh, that is always a good excuse, particularly with the government that exists at the present time in Ottawa. There is no question that high interest rates have contributed to this, that the free trade pact and the implications of that have contributed somewhat to the unemployment circumstances we are facing in this province. I feel a bit good about this, because I think that the Premier has said that he is going to stop the free trade agreement with the United States. I fully expect that he will be doing so over the next several months, and that will certainly solve the problem.

What is required, of course, is some smart investment on the part of the provincial government on an immediate basis in major capital projects. There have been some announcements that have been made. This fiscal year there is precious little money that is actually flowing to various communities and various projects so that they are initiated and the money is actually being spent. Some \$37 million was the last figure that I saw, although there have been lots of announcements, and I think that we have to recognize that some of these are reannouncements, recycled announcements, renamed announcements, a lot of things that will be done in any event in the province of Ontario with a new name. It is an old trick that has been played probably for dozens and dozens of years, and this government is exactly the same in doing that, except we are in the midst of a recession and we cannot afford that to be happening.

So the Treasurer has to find money for this, without the deficit ballooning to \$10 billion, or between \$6 and \$10



million, without that happening. That means that the Treasurer and the Chair of Management Board are going to have to examine every expenditure, all the wish lists of all these ministers who want to implement some bizarre schemes out there. He will have to examine those very carefully to be able to find the money to channel intelligently into capital projects which will have an immediate effect on the provincial economy.

We recognize that if he simply allows the deficit to get out of control, we are going to find borrowing costs, because of our credit rating, are going to go up considerably and confidence in the province of Ontario might well be lost.

I have to say to the Treasurer as well that it is going to be important for this government to create a good and positive investment climate, because what people in this province are concerned about who are looking to invest or people outside who are looking to invest, is that they are looking at what your agenda is. They looked at the NDP tax commission. The Treasurer will notice I did not call it the Fair Tax Commission, which a lot of people seem to have been taken in by, but not those of us who are in opposition, only those who sit on the government side. In fact that is stacked in favour of people who would believe in the socialist agenda, which will simply result in less investment coming to the province of Ontario and much of leaving the province of Ontario at the present time.

So the government will have to be very careful to create business confidence, and nothing I have seen in the province of Ontario, outside of the Premier, with his usual "quite frankly" as he knows he is delivering some bad news, or, "We're doing the best we can"—how many times I have heard that?—and the Treasurer and the Premier going on bended knee to Wall Street; that was perhaps a little bit in the way of alleviating those concerns. But much more, it is going to be important that they create the good investment climate, because if they wish to redistribute income in the province of Ontario or redistribute wealth in the province of Ontario, they are going to have to create it in the first place, or assist in its creation, and so far we have seen zilch in that direction.

**Mr Harris:** I too want to respond to the statement by the Treasurer as part of the government's ongoing agenda for publicity. It is not an agenda for prosperity. It is not an agenda for competitiveness. I am surprised to hear the Liberal critic talk about competitiveness after the disgraceful record of the last six years, by the way.

**Mr Nixon:** Fastest growth in the history of the province.

**Mr Harris:** I quite frankly do not blame the Rae government or the NDP government for getting us into this mess at all. However, there are things they can be doing that they are not doing. They are carrying on a most inappropriate agenda that was begun by the Liberal Party in this province.

I too want to pick up on what the critic for the Liberal Party talked about, and that is that, yes, we are in a recession. He is faulting them now for being not quick to recognize this and suggests that we should all have known this

by this fall. We all knew it last spring. We all knew it last summer. To suggest that this is something that is new after their departure from office is an absolute disgrace.

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We think they are all the same, quite frankly, when it comes to fiscal issues. The critic talked about the recession being worse in Ontario than it is in any other province, and it is. Ontario is feeling the effects more than any other jurisdiction. So you have to ask yourself, what has Ontario done for the last six years that we should suffer worse than all the other provinces that the other provinces have not done?

I can tell you some of the things. We have increased our spending here, year after year, in excess of 10% a year, much to the chagrin of the other provinces, who said, "Whoa, we can't afford this." The poorer provinces said: "We can't afford this. How can the richest one carry on spending like it's business as usual through 1986, 1987, 1988, 1989, 1990?"

What caused the pressure on the dollar? What caused the pressure on the interest rates? It has been free-spending governments. Who is the biggest offender? It is the government right here at Queen's Park. It is the Ontario government. When you have the largest jurisdiction in this country off in one direction spending like there is no tomorrow, contradictory to the other nine provinces, contradictory to the federal government, it is a recipe for disaster. That is why Ontario is not competitive.

They talk in this statement, and the Treasurer reiterates for about the 18th time, about the \$700-million anti-recessionary package. We are not unsupportive of a package in the order of \$700 million, but where does the money come from?

We offered a proposal to the Treasurer. We came forward and said that if like the federal government, if like all the other provinces, we had a program for public sector wage and program restraint, as all the others have, as all the others have recognized, we could free up \$700 million. What we said was that if the brothers and the sisters in the public sector recognized it cannot be business as usual when the brothers and the sisters in the private sector are laid off and hungry, you cannot expect that you are going to have wage increases in excess of the rate of inflation while this other segment of workers are suffering and are hurting. If they had recognized that reality, as the other provinces have, as the federal government has, they could have freed up this money without increasing taxes or without putting pressure on the deficit, because that is what has caused the problem in the first place.

They have overspent collectively, both parties the same. The enemy is not over here. They are both the same. They both think government has all the answers. They both think that government spending should be an increasing proportion of the share. They both think that everybody who is laid off in the private sector can be employed in the public sector somehow, and the more they follow that policy, the more it is a recipe for disaster and the more uncompetitive we are.

So I suggest to the Treasurer, to the Premier, to all of those who think that big-spending, big-taxing governments



are providing a solution, that they are mistaken. It is a recipe for further disaster, and that is why Ontario is hurting like no other province is in this country. That is why this industrial heartland is losing jobs today that we will not regain if, when we respond to it, we are not cognizant of what we are doing to our competitiveness, and I have not heard one program from this government that addresses the increasing lack of competitiveness that has been apparent over the last six years in this province.

### ORAL QUESTIONS

**The Speaker:** It is time for oral questions.

### MEMBER'S CONDUCT

**Mr Nixon:** On a point of order, Mr Speaker: News reports this morning have indicated that the Premier has dismissed one cabinet minister and appointed two others. Since this is a rather far-reaching change in the structure of the administration, would it not be in order for the Premier to make a statement to the House concerning this matter?

**The Speaker:** Members may be aware that we have ministers' statements, during which time any minister, including the Premier, is at liberty to make a statement. It is now question period and you may wish to pose a question.

**Mr Nixon:** Failing comment from the Premier, I would simply draw to his attention the occasion on 2 October last, I believe, when after contemplation and careful review he appointed the member for Welland-Thorold to the cabinet with substantial responsibilities, in fact full responsibilities in two ministries. It is not clear, for those who have observed this soap opera over the last few days, what the justification was in the Premier's mind for the dismissal of the member for Welland-Thorold.

As a matter of fact, I quote from an interview with the member for Welland-Thorold on CFRB radio today at 9:08 am as follows,

"Well, but I'm not sure what I got fired for, because if I didn't get fired for Sunshine Boy, because Bob Rae said no, that was merely inappropriate, and if Grimaldi is the issue, yet Bob Rae knew about Grimaldi, heck, even before I got elected, then it still remains open for Rae to explain precisely why it is I am being fired."

My question to the Premier is, why precisely was the minister fired?

**Hon Mr Rae:** I appreciate the question from the Leader of the Opposition. First of all, let me say as a general rule it is my responsibility as the Premier to choose the cabinet and to appoint new people and to ask other people to leave. That is my responsibility. It was my judgement that the interests of the province were best served with two new ministers, that this was in keeping with my responsibilities, that there were some examples of what I regarded as poor judgement by the minister and I felt that a change was necessary. That is the change I have made and that is the change that has been announced. This is an ongoing responsibility that I have as Premier. Cabinet is a privilege and membership is a privilege. It is a judgement that I have to make and I have made that judgement as Premier.

**Mr Nixon:** I simply reiterate that the Premier knew of the former minister's flamboyant personality and his rather forward approach to the issues; that he knew of his brushes with the law—as a matter of fact, his conviction on income tax charges; that he knew about Mr Grimaldi's difficulties and the fact that he had been appointed as policy adviser to the minister. This was not new.

Surely it could not have just been the Sunshine Boy business. As a matter of fact, in the mind of the dismissed minister, and I quote again, "I got into trouble by trying to make sure that we kept the promises we made, like a public auto insurance plan with the right of victims to use the courts to sue for compensation."

Is it a fact that the minister's approach to these matters was so out of tune with the leader of the government's that the leader of the government resorted to what the member for Welland-Thorold called "intellectual totalitarianism"—those are his words—and booted him out of the cabinet?

**Hon Mr Rae:** I am sort of in some respects like the manager of a baseball team who has to decide who is going to play in what positions. That is my responsibility. It is my responsibility to ensure that the team is working as effectively as possible. It is my responsibility to ensure that when I do not think the team is working as well as it can, there need to be some changes. That is a responsibility that I have. I have exercised it, I have taken that responsibility and that is the way it is.

**Mr Nixon:** The Premier has repeatedly indicated that he is the sole arbiter on matters of conflict and inappropriate behaviour and for that reason he has stated without too much particularity that he has appointed two new ministers to replace the one who was dismissed.

This is a matter that has troubled me over the last few months. Can he outline why he decided to fire a cabinet minister today for the rather vague reasons he has put forward, but in the case of the Red Hill Creek Expressway a case where cabinet secrecy involving millions of taxpayers' dollars was violated, all he required from the offending minister was an apology and an immediate adjournment of the House? Will the honourable member particularly indicate in the case of Red Hill, since his Minister of Transportation said that he cancelled it on moral grounds, why in this instance he would execute the flamboyant minister who is now in the back row and he would let the Minister of Transportation and the Minister of Colleges and Universities off scot-free and in fact with a few compliments, with a mere apology?

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**Hon Mr Rae:** Well, I think that it is a matter of judgement which a Premier has to exercise on a daily basis, and do others. The member may choose to disagree with the exercise of that judgement. That is certainly his right and prerogative. When I was Leader of the Opposition I took occasion to do the same thing and I can hardly object when he does so. All I can say is that I have made a decision with respect to the membership of the cabinet. Historically this has been the prerogative of the first minister. I think it has been exercised by my predecessors in this province and by every Commonwealth jurisdiction that I can think



It is the prerogative of the Premier; indeed it is his or her responsibility to decide on the membership of the cabinet, to review that membership on an ongoing basis and to make certain decisions with respect to membership. That decision is one which I exercise with as much care and discretion as I can and I believe I have done so in this case.

**The Speaker:** New question, Leader of the Opposition.

**Mr Nixon:** Thank you, Mr Speaker. I would like to pursue the matter, because the honourable Premier is not particularly forthcoming in this matter. I had really expected, when I asked the question, that he would say something similar to what he said apparently in a scum, or scrum. Not a bad Freudian slip. His scummy comments—that is, scrummy comments—were as follows, and I quote from today's Star. "Rae announced that Riverdale MPP (Shurley) will replace Kormos as Consumer minister, while (Charlton) will take over his Financial Institutions portfolio. Rae said his concern about Kormos's judgement was 'with respect to indicating that this was the government's policy and this was exactly what was going to happen, when there has been no discussion in cabinet on sexism and advertising,' he said. We simply can't have a situation where ministers are volunteering all kinds of policy ideas and the next day it is described in one of the papers as the Rae plan."

I wonder if the Premier would comment on that, because the dismissed minister himself has asked for an explanation, and naturally we are interested since the Premier has set himself up as the sole arbiter in these matters that have everything to do with the life of this government and its ability to function.

**Hon Mr Rae:** Of course they do, and the Leader of the Opposition says that I have set myself up as the sole arbiter. Let me suggest to him that if he were the Premier—and there are many people, I know, over the last 30 years who feel that he should have been the Premier—he would be exercising this responsibility too. I do not think I would say that he was setting himself up, or other predecessors, David Peterson or others.

The fact of the matter is I have to make a decision. Obviously cabinet solidarity, cabinet discussions of issues, a understanding of a full appreciation of all the implications of an issue—these are all factors. But again, I want to say to the Leader of the Opposition that it is an ongoing responsibility that I have to exercise in terms of the participation in the cabinet and I have exercised my responsibilities. As I say, these decisions are never that easy, but I have made the decision and I think that in terms of what we want to do as a government, in terms of the new team which is going to be taking over in the two fields which you have mentioned, I made a judgement that this was the best way to proceed and that is what I have done.

**Mr Nixon:** If I might pursue, once again I would say that the Premier is less forthcoming here than he was to the press, and of course I can only take as correct the words attributed to him in the Star. He indicates that he is worried that Kormos was talking about things that sounded as if they had cabinet approval, or as the Premier says, it would be referred to as the "Rae plan." I want to quote further from the article:

"Kormos appeared indignant at Rae's suggestion that his antisexism campaign was never approved by cabinet, saying, 'The Premier is simply wrong in that regard.' Kormos said he was simply doing his job by responding to community concerns about sexism in beer advertising. 'So holy zonkers, for the Premier to suggest that I was making policy without going through cabinet is really bizarre.'"

Now, since the Premier has said this publicly and it is widely reported, will he indicate to the House whether it is still his view that his dismissed minister was making policy inappropriately? He might even get back to the whole matter of no-fault in torts in so-called driver-owned auto insurance, if he would like to be helpful.

**Hon Mr Rae:** I am trying to be helpful. That is part of the reason that I am here. Cabinet solidarity is important to me as Premier, as I am sure it was important to the member when he was the Treasurer, and I am sure he would not expect me to comment on discussions that may or may not have taken place within our cabinet. All I can tell him is that I have made my decision and it stands.

**The Speaker:** Final supplementary.

**Hon Mr Nixon:** Mr Speaker, I have a wide choice of last supplementaries, and I think I would like to just quote something from the Evening Tribune of Welland today.

**Mr Bradley:** Good paper.

**Mr Nixon:** Excellent.

This is an article by Pat Barevich and the quote from the former minister is as follows, "I don't want to see us, as a government, break our promises to the people across Ontario, but it's obvious Bob Rae and that little clique in Toronto have got a far different agenda from what the people of Ontario want."

Would the Premier indicate that this is a case of "intellectual totalitarianism," to use the populist phrase that the deposed minister used? Perhaps he would make some comment on that.

**Hon Mr Rae:** In light of the comments in the Welland Tribune, I rest my case.

**Mr Harris:** I think I would like to follow up with a couple of questions on this matter. I think it is important, not just for the events around this case, because there seems to be some information missing—it just does not jibe with us—but I think it is important for this Legislature and the public to know just what criteria the Premier uses in who should be in cabinet and who should not be in these positions of responsibility. Quite frankly, I would suggest to him that the majority of his cabinet ministers are probably listening intently to try and figure it out too. Could the Premier tell us specifically what he knows now that he did not know on 1 October about the member for Welland-Thorold when he appointed him to the cabinet? What does he know now that he did not know then?

**Hon Mr Rae:** Again, let me say to the leader of the third party that what I know in a very general way and have had a chance to assess is the conduct and the performance of all the members of cabinet. I decided to make a change because I felt that it was necessary in the circumstances to do so. I think it is an ongoing responsibility of



my job to indicate, as Mr Davis did on a number of occasions, and others have done as well, that I have to exercise this responsibility.

Now, if the member is saying, "You put him in cabinet on 1 October; that means that you can't make another decision in the middle of March," what I am saying to him is that I have to exercise my judgement with respect to the judgement that is being offered by everybody who is in the cabinet. That is the responsibility that I have. I felt the team can perform and work better, the cabinet can work better as a team in this circumstance.

Obviously I have not been happy about the events over the last number of days, and indeed that is a fact. But if I may say so, I think I have the responsibility as Premier to exercise this judgement and this responsibility and to make sure that the cabinet is serving the best interests of the province. That is an ongoing responsibility that I have and one that I have exercised in this case.

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**Mr Harris:** Nobody questions that it is the Premier's job to do this. What we question is this: the Premier is implying that he just kind of shifts the lineup. He brings in a pinch hitter from time to time, from week to week, depending on the situation. Obviously, this has been a major decision, it has been a major move. It was not planned. He said when he reviewed events of the last few days that he was not very happy. I asked him, what did he learn in the last few days that was not well known back in October when the member for Welland-Thorold was originally appointed?

If he wants to answer that one, I will give him a second shot at it, but I also am trying to get a handle on what the criteria are for the Bob Rae cabinet. I think that is important to the House and the Legislature.

With the Red Hill Creek Expressway, when he had cabinet ministers who breached cabinet confidentiality, clearly—stood up, admitted it, they actually broke a guideline—he said at that time, "I do not think you fire people every time they make a mistake." Can the Premier tell us what specifically he considers to be a mistake worthy of firing and what criteria he now has to be in the Bob Rae cabinet?

**Hon Mr Rae:** If I may say to the leader of the third party, who is a person of experience, who himself has participated in a cabinet, was chosen for a cabinet by a former Premier, I think that he will recognize that there are no rules that are written down. These are judgement calls that are made about people's performance, about their approach to things. I do not think there is a written-down sort of rule that says this or that. It is a judgement call that is made by the Premier. It is an exercise of judgement and an exercise of discretion on the part of the Premier in terms of who is best going to serve obviously the government, the caucus, and indeed who is going to serve all the people of the province. That is the basis upon which my judgement was made.

**Mr Harris:** The Premier keeps going back, and I think he said that the minister's actions were drawing attention away from the government's agenda. I do not know

that it is drawing attention away from the government's agenda any more than when the Premier, after being elected, appeared on CBC Air Farce and participated in a skit to belittle the Prime Minister and now is going to have to sit down with the same Prime Minister to negotiate, hopefully, a renewed Confederation. I do not know how appropriate a type of action that is, but this seems to be what the Premier is talking about.

The Premier has danced around this issue. Let's get right to the point here. He has told us nothing new. I would like him to confirm today the rampant speculation around Queen's Park that I have heard, that most of the media have heard, that most members have heard, that Mr Kormos was fired as a direct result of a fundamental disagreement over policy on auto insurance and restoring the right to sue, that is, trying to deliver on that promise that he understood the Premier agreed with at election time. Can he confirm or deny that that is in fact the real reason why Mr Kormos was fired?

**Hon Mr Rae:** Mr Speaker, I can only tell you that the leader of the third party would be well advised to not listen to rampant speculation. The government generally has been looking hard at the issue of car insurance. We have indicated already that legislation will be presented to the House in this session and that commitment stands. Beyond that, I can only say to the leader of the third party that, as I say, he would be well advised not to simply repeat speculation as if it were the absolute truth.

**Mr Harris:** I was trying to come up, as was the leader of the Liberal Party, with any plausible explanation. We did not receive one. The Premier leads us in that direction.

#### MEMBERS' CONDUCT

**Mr Harris:** My second question is to the Premier as well and it deals with trying to understand what his standards are. I would like him to tell this House if the member for Victoria-Haliburton received his salary as an MPP during the time that he was in jail.

**Hon Mr Rae:** I will answer that as best I can. I received a copy of a letter that the member for Victoria-Haliburton sent to the Speaker, I believe last week. I received a copy of the letter—it was something I did not see until I saw the copy—in which the member indicated that he did not wish to be paid for the period during which he was in jail.

**An hon member:** Thank you, Mike.

**Mr Harris:** You are very welcome. I hope he was not being paid as a parliamentary assistant as well, but that is something for the Premier. As the member has heard, he decides these things.

Upon release from jail, the member for Victoria-Haliburton has been heralded by the Premier and this government as a hero. He remains as chairman of the government's caucus. He remains as parliamentary assistant to the Minister of Citizenship. In the North Bay Nugget, on his release, he implied that he would be getting new responsibilities in fact, presumably as a reward for breaking the law and going to jail. The implication was that it was a reward for breaking the law and going to jail.



I wonder if the Premier can tell this House what law, what rule, what guideline the member for Welland-Thorold spoke to deserve his dismissal from cabinet.

**Hon Mr Rae:** The question did not seem to flow from the preamble, so I have to exercise judgement. The argument that the only criterion for staying in cabinet is that you not break the law or break the Criminal Code is a rather bizarre way of assessing it.

If I may say so, there was a situation in the previous government where I think as many as seven or eight ministers were dropped in a cabinet shuffle in which others were brought in and in which the Premier at that time did not—was during the summertime, so obviously the House was not in session. But there is a sense that he has a responsibility and I have a responsibility, any Premier has a responsibility, the Prime Minister has a responsibility, under our system of government, to ensure that the government presents its case as best it can, that it presents itself in a way that reflects cabinet solidarity and that reflects the view that the people are best served if that is what is in place. That is the criterion that I followed.

**Mr Harris:** Surely the House finds it offensive that the Premier tells us this was a routine cabinet shuffle. Surely the intelligence of the House must find this offensive, if this is what he is trying to tell us today. When the Premier appeared before the committee of the Legislature last month he said that, in breaking the law, the member for Victoria-Haliburton had done nothing to decrease the public's confidence because he had acted with a moral conscience.

I would like to know two things from the Premier. First, what gives him the right to decide what laws or rules can or cannot be broken and, second, are these the Bob Rae standards for cabinet that we can now expect for the future, i.e., as long as the cause is one that Bob Rae agrees with, then anything goes? Is that what we are led to believe and what his cabinet and his colleagues and the public have to believe? As long as he agrees this cause is there, you can break the law, you can go to jail, you can break the rules, that is the criterion, "As long as I agree with the cause."

**Hon Mr Rae:** I think, in his heart of hearts, the leader of the third party knows that nothing is that simple. The short answer to his question is no.

#### HIGHWAY CONSTRUCTION

**Mr Nixon:** I will pursue the matter briefly at least, because I am concerned, along with the leader of the third party and many other members of this House, with the criteria used by the sole arbiter in these matters of political life and death.

I bring to the Premier's attention the circumstances involving the Red Hill Creek Expressway. The honourable member will be aware that interested citizens in Hamilton have been conducting or moving into a court case in this connection. The evidence has been heard and we have yet to hear some sort of a judgement.

I referred to this in my earlier series of questions because, since Hamilton went through all of the careful planning requirements and it was cancelled by the Minister of

Transportation with the support of other ministers and undoubtedly of cabinet itself, and this cancellation was conveyed to NDP city councillors and the NDP candidate for mayor in Hamilton at a series of meetings, which frankly the member for Hamilton Mountain must have attended as an NDP caucus member at the time, can he explain under those circumstances, first, what really made it a moral decision in this regard when all the planning requirements had been fulfilled and, second, why he could permit his cabinet ministers to undertake this sort of an approach to public policy, this sort of an approach to special political friends in the community of Hamilton rather than to the mayor in council, with merely the slap on the wrist to the cabinet members that had been responsible for this.

1450

**Hon Mr Rae:** I am happy to revisit that decision. First of all, the member states that it was a decision made by the Minister of Transportation. That is not entirely accurate. It was a decision made by the cabinet. There was a full cabinet discussion of this question of the Red Hill Creek Expressway.

The decision was made that we as a province have a right and indeed a responsibility to decide whether we want to spend tens of millions of dollars in order to pave over the Red Hill Creek. That was a decision that we made on environmental grounds. If you want to revisit that whole aspect of the decision, that is fine. We exercised our responsibility on what we felt on balance, on behalf of the environment, was necessary. It was a decision which we knew would not be warmly accepted by the municipal council but which we felt we had a responsibility and a right to make.

As to the timing of the announcement and the way in which the announcement was made, I have already said that I did not think it was handled tremendously. I have already indicated that in the House. But there was absolutely no breach of cabinet confidentiality and no breach of cabinet solidarity. There was a breach of what I would regard as common courtesy with respect to the mayor and the regional chairman, and I have apologized to them in person.

**Mr Nixon:** The Premier has indicated he would like to recall the circumstances and he would know that the cabinet decision was made on Wednesday. It was announced publicly to the mayor and corporation of Hamilton and the region of Hamilton-Wentworth the following Monday. But the previous Friday, the ministers concerned met with the NDP caucus, the NDP candidate for mayor and the NDP members of council, and brought them up to date on that information.

Although the ministers denied they made the information available, the people at the other end indicated that the information was provided for them. It was a clear breach not of cabinet solidarity but of cabinet confidentiality. The Premier on 20 December, just before the House adjourned, said as follows, and he is very clear in this: "This is something I regard as a mistake. It is something that I do not want to see repeated." Yet on 4 January of this year, members of the NDP cabinet, NDP councillors, the NDP candidate for mayor in Hamilton, met again in a closed, private



meeting to discuss land use issues related to the Red Hill Creek Expressway.

Now I ask members how that appears to them. This is an instance where the Premier is prepared to gloss it over because he has no standards for the members of his cabinet in this regard or, if he has, he has not made them clear.

**Hon Mr Rae:** I am sure that the Leader of the Opposition, who is a man of great political experience, would not want to create a universe in which ministers were not able to meet with—the ministers have met with the chambers of commerce, they have met with the mayor, they have met with the regional chairman, they have met with everyone. They have also met with New Democrats, they have met with Liberals and they have met with Conservatives. I hope we do not reach the day when these kinds of meetings are no longer possible.

**Mr Nixon:** Everybody in this House wants to undertake consultation wherever it is appropriate. But in this instance—

Interjections.

**Mr Nixon:** Have I run out of questions? Well, I am responding to the Premier's concern.

Interjections.

**Mr Nixon:** Don't I get three supplementaries?

**The Speaker:** We were not counting, were we? No, okay.

New question. The member for Dufferin-Peel.

#### RENT REGULATION

**Mr Tilson:** My question is to the Minister of Housing as a result of his comment last week in a press conference here in Toronto, as reported in the Toronto Sun, that he is allergic to landlords. Would he therefore justify his half-a-million-dollar-plus rent control green paper consultation process?

Why he is having some 20 consultative meetings, only seven of which are open to the public? Why can opposition critics attend these public sessions but are not allowed to participate? I was invited to come but I was not allowed to speak. Why was my leader, when invited to the North Bay session in North Bay, denied information on where it was even going to be held? Finally, why would the minister even possibly think of barring my friend the member for Oriole from one such meeting?

**Hon Mr Cooke:** Every member of the Legislature in the 20 communities that we are visiting has been advised where the meetings are. The member talked about only seven meetings being open to the public. The fact of the matter is that we are going to 20 communities, and the process in each of the communities is that we are having meetings with landlord groups that represent organizations in each of the communities and we are meeting with tenant organizations and municipal folks. In seven of the communities I am having public hearings where anybody can say anything he wants to say to me about the rent control issue.

I indicated to the member as an opposition critic and to the critic of the Liberal Party that we were prepared to discuss with them their participation in this whole process. We are not prepared to turn the meetings into a debate

between politicians. We want to hear from the people of this province.

As soon as I heard what had happened in the North York meeting, I discussed the matter with my staff and new procedures have been put in place. I apologize to the member for Oriole. It should not have happened.

**Mr Tilson:** The minister spent half a million dollars on advertising for this farce, and he will not tell anybody where the meetings are being held. Will the minister, with analogy to openness, confirm that the private green paper meetings are on an invitation-only basis and that secret predetermined speakers' lists, which are not revealed in advance of the meetings, effectively preclude much open, public discussion? Finally, will the minister call a halt to this farcical dog-and-pony show and permit the committee of the House, representing all parties, to carry on the consultations, not just the minister?

**Hon Mr Cooke:** I am not going to confirm anything that the member said in the first part of his question because it is absolutely false. There are advertisements that have been put in the paper and people are put on the list when they have requested to speak, and that is the way that it has been organized. The committee—

Interjections.

**The Speaker:** I bet the Minister of Housing was about to rephrase his response.

**Hon Mr Cooke:** No, Mr Speaker. What I said is that what the member said in the House is not accurate. It is false. Anyone who wants to appear before these meetings phones the 1-800 number. We have written to the MPPs. If the standing committee on general government wants to study the green paper, that opportunity has been made available through the House leader of the government, but the member and the Liberal Party instead have delayed on Bill 4. They do not want to talk about the green paper. That is their decision, but we are going to consult with the people of this province. The member has already made his decision. I do not know why he would want to consult or listen anyway. The position of his party is: Kill rent control and let tenants fend for themselves. That is their position.

**The Speaker:** New question, the member for Sarnia.

**Mr Huget:** My question is for the Minister of Labour. Many workers in the city of Sarnia and surrounding area have been devastated—

**Mr Eves:** On a point of order, Mr Speaker: Can you please inform the House whether the use of the word "false" as in untrue, as in not stating a true fact, as in lying is parliamentary language or not?

**The Speaker:** The House leader was listening a closely as I was, and there was a rephrasing. The repl stands. The member for Sarnia.

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#### PLANT CLOSURES

**Mr Huget:** My question is for the Minister of Labour. Many workers in the city of Sarnia and the surrounding area have been devastated recently by plant closures. The most recent example is Fiberglas Canada, which will close



aving 191 workers and their families without a job. What the minister prepared to put forward to assist these workers affected by plant closures and layoffs?

**Hon Mr Mackenzie:** I thank the member for the question. I want to point out to him that I am certainly aware of the difficulty of the workers in Sarnia and, indeed, many of the other cities in the province of Ontario. We have recently announced, as the member will know, a brand-new \$32.5 million program of labour adjustment, the setup of labour adjustment committees in the plants that are affected and the labour adjustment committee within the ministry to meet and develop the program in terms of retraining and skills upgrading that are necessary. The details of that plan which had been announced just about a month ago in this House will be before us very shortly in this Legislature.

**Mr Huget:** Can the minister advise the workers of Sarnia whether his ministry will be reviewing the Employment Standards Act to provide greater protection for these and many other Ontario workers?

**Hon Mr Mackenzie:** The Employment Standards Act will be the subject of amendments in this House and discussion first. I can tell members that the discussion papers are out with the constituencies across Ontario right now with some of the options, and as soon as we have the reports back in on those discussion papers we will be moving in this House for legislation in terms of severance, notice and so on for workers in plant closure situations.

#### RENT REGULATION

**Mrs Caplan:** My question is to the Premier. Premier Rae promised open government and yet I found that the door was closed without an invitation. I want to thank my colleagues in the third party for raising this matter in the legislature and for their support.

I must say that, yes, I was turned away from a public consultation meeting in my own constituency, the riding of Oriole, where vital issues of rent control were being discussed. Will the Premier today, in this House, admit that his Minister of Housing showed bad judgement and made a serious mistake in holding the public consultations in this way? Further, will the Premier direct his cabinet, whether they are discussing the Red Hill Creek Expressway, Sunday shopping or market value assessment, to open the door, to say that an invitation is not required and that people, whether they are members of this Legislature, members of other political parties or whether they disagree with his government, can have a say in a public consultation process?

**Hon Mr Rae:** First of all, I was listening very carefully to what the Minister of Housing said. I believe, in answer to a question from the member for Dufferin-Peel, he made it very clear that he apologized to the member for what happened with respect to the meeting in Oriole. He has made that apology, I heard him make it today, in the House, very directly to the member. So when she asks whether I recognize that a mistake was made, of course it was made. I do not know what kind of mistake was made. It was an administrative one of some kind. It has been

corrected, and the member has a legitimate grievance which she has expressed and to which I am responding.

With respect to the second half of the question, which is a substantive one, I think that we are getting criticized by the member's colleague the Leader of the Opposition because we are not announcing enough things. One of the reasons we are taking time in doing some of that is precisely because of the consultation process that goes on.

As is the nature of life, some of those conversations and consultations take place in private, some of them take place in the minister's office, some of them take place publicly. I have those kinds of consultations myself with business leaders and with labour leaders and with all kinds of people. Some of the meetings take place in private; some of the meetings take place in public. We are committed to listening to the public. Obviously, we are committed to listening to people who do not agree with us and we are very much committed to listening to members of the Liberal Party, to members of the Conservative Party and to members of all parties.

**Mrs Caplan:** I would say to the Premier that in fact what we see in place is a system of preferential access where people must have an invitation. I will say to him that a colleague of mine received an identical letter signed by the Minister of Housing after I had raised this issue with the media, who happened to attend that meeting, and that the answer my colleague received was that he could attend but he could not participate. This is unacceptable, for ground rules to be laid during a public consultation process, for dates and locations of meetings to be denied to the members of this Legislature and to the public after they have been advertised as part of a public consultation process. Will the Premier stand in his place today and say that he has directed all of the members of his caucus to open the door, to stop the preferential access and to allow the people of this province to be heard?

**Hon Mr Rae:** We hear what you are saying and I think what you are saying is in terms of the desire to have as much participation as possible. I do not want to embarrass anybody, but the member for Mississauga South sent me a letter the other day in which she praised the conduct of the Minister of Tourism and Recreation, saying that it was the first time in her memory and experience as a member that a government minister had informed her the day before an announcement was to be made, had given her the opportunity to not only look at the press release but to correct it and to be there with any announcement made. I have been around for a while. I do not recall that being done when I was in opposition. Let me say that the standard that has been set by the Minister of Tourism and Recreation is a good standard and I think it is one that all of us should look to.

#### POST-SECONDARY EDUCATION

**Mrs Cunningham:** My question is to the Minister of Colleges and Universities. I stand here today on behalf of many students at Trent University who are looking forward to resuming classes as quickly as possible. Many of them, of course, know that there are only five weeks left in their academic year, five weeks of a 25-week school year,



and they are looking forward to getting back to school so that they not only gain their academic year but that they graduate as other students across the province have that opportunity to do. We would ask the minister, as the students approach exam time, as they risk losing this academic year, what plans he has to make certain that in fact they will succeed in their year of university at Trent this year.

**Hon Mr Allen:** I am delighted to respond to the member's question. Like her, I am concerned about anything that impacts adversely on the life of universities and, in particular, university students. I would say to her that she perhaps knows as well as I do that universities are legally autonomous institutions, that under the Labour Relations Act they have rights and responsibilities as employers—as do the unions, as employees—and that in a pre-collective bargaining situation those rules, regulations, contexts have to be played out in an appropriate way.

I am appreciative very much of the fact that faculty members at the university did in fact give advance assignments and also provided in some cases take-home exams and tried to pave the way to make it as easy as possible for the students in question. I do hope personally that the strike will be over soon because of its discomfiture and its inconvenience and the difficulty it creates for students and the whole institution.

**Mrs Cunningham:** I am sure that the minister, as well as members of this House, should know that in fact the university is in mediation—the faculty association is in mediation for the next two days and that everybody at Trent University knows that this strike cannot be allowed to proceed more than a week because then the students will definitely be in jeopardy. We also know that the whole quality of post-secondary education in this province is one that many of us are concerned about and absolutely not proud of. Many of us have been eager to hear from the faculties as they presented their cases before the legislative committee. These students now only have five weeks left. One of the real issues is a need for dramatic change in government funding and tuition fees. That is part of this whole problem. The minister knows it. Again I ask him, when will he be responding to the recovery plan for Ontario universities and what can he do about it to give those professors at Trent University and elsewhere the recognition that they deserve with the problems that they are dealing with with the overcrowding of classrooms?

1510

**Hon Mr Allen:** That was kind of an omnibus question that got us from the strike to university funding. I would just like to say on the first part of the issue that, as the member may know, the senior mediator of the Ministry of Labour will be meeting with the parties this week. I hope that will be effective.

With regard to the underfunding question, there is a serious underfunding issue that has been at the door of the universities through two administrations now. We did our best in the funding announcement to keep the system at a steady state despite the deficit that we face, and we hope that in point of fact we will be able to address such prob-

lems as the faculty face at Trent, which is a particularly severe case where the faculty are paid at the bottom of the heap in terms of faculties across this province.

I would hope that our address of the future funding issues in the university will enable us to assist the university to address that question in the future.

#### SUPPORT AND CUSTODY ORDERS ENFORCEMENT

**Mr Cooper:** My question is for the Attorney General the member for Rainy River.

**Mr Mahoney:** Did you get your sign changed?

**Mr Cooper:** Yes.

During the hearings before the standing committee on administration of justice on Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders, the opposition has alleged repeatedly that this bill, once legislation, will not improve the lot of many women and children in this province. Yet it is my experience that in my constituency office many people have phoned in, as well as the representatives of the National Association of Women and the Law and the Ontario Association of Interval and Transition Houses who appeared before the standing committee on justice during the recess, and all believe that this bill will have positive results for women and children where support is not being paid.

Can the minister tell the House how many women currently holding court-ordered support payments he and his ministry expect will have their position improved by this legislation?

**Hon Mr Hampton:** I believe that there are some 85,000 support order cases that are registered with the program, which at the current time is called the SCOE program—support and custody orders enforcement. There are 85,000 cases. The vast majority of these support cases involved women and women with children. There are approximately 102,000 children involved. The current enforcement rate under the existing legislation is about 35% at best. We believe that with the amendments we have introduced, we can in effect improve the enforcement rate to about 60%. Looking at the number of cases registered, it would be a good bet that I think we would be assisting directly somewhere near 50,000 women with children and perhaps even more than that. That is the two-year target and that is the improvement we think we can make within two years.

**Mr Cooper:** That seems like a significant number. I understand that during the committee hearings the Toronto Star on 26 February said that the Attorney General was prepared to introduce some amendments. I was wondering if at this moment he could please elaborate to the members of the House what improvements will be coming in the upcoming session.

**Hon Mr Hampton:** A number of amendments were introduced in committee, and those amendments were introduced as a result of input from the third party and the official opposition. They were also introduced because we carried on ongoing consultations with employer groups, labour groups; with, for example, provincial court judges who were very experienced in family law. The majority of



the amendments that have been introduced again go towards streamlining the procedures so that where a support order is in existence, money will flow from the payer to the recipient in very short order so that we will not have the three-, four-, five- and six-month delays that currently exist in the program and hopefully we will be able to put money in the hands of the recipients from the payer in approximately 30 days.

#### AUTOMOBILE INSURANCE

**Mr Chiarelli:** My question is to the Premier regarding automobile insurance. In an interview this morning on radio station CFRB referred to earlier, the ex-Minister of Financial Institutions said that—and I am going to quote him—he “Got into trouble by trying to make sure that we kept the promises we made, like a public auto insurance plan with the right of victims to use the courts to sue for compensation.”

Will the Premier confirm here today that the removal of the member for Welland-Thorold from cabinet does not constitute a backing off from his government's previously clear commitment to the reinstitution of tort and to the creation of a government-owned system of automobile insurance? Will the legislation be introduced in the spring? The Premier earlier said that it will be introduced this session and, as the Premier well knows, this session could be the fall or the spring. Will he confirm that this legislation will be introduced this spring?

**Hon Mr Rae:** We certainly intend to introduce legislation in the spring session. It will be later on in the spring session, but we are working very hard at it and I am hoping that when the member sees it, he will be very pleased with it.

**Mr Chiarelli:** The speech from the throne was quite clear in saying that a government-owned system of automobile insurance would be introduced in the spring. However, the member for Welland-Thorold repeatedly pledged to introduce a public auto insurance bill with the right to sue. He stated that quite clearly even after he was a minister, after he was appointed in October.

In November, a bill was introduced by the member for Leeds-Grenville regarding the right to sue and the Premier's caucus was split. In this House, a number of his caucus members voted one way and two of his members voted the opposite way. This is sending out conflicting messages, as well as many other conflicting messages that have been sent out by the former minister and it is causing grave concern to the 40,000 people who work in the industry.

There must be an interpretation put on the Premier's ex-minister's statements when he said that in effect he is being victimized because public auto insurance with the right to sue is being compromised, in effect, by his cabinet. A decision must obviously have been made that there will be no government plan, or no right to sue, or both. Which is it?

**Hon Mr Rae:** First of all, let me say to the member that I appreciate the concern that he has expressed. We feel that the Liberal legislation, which we have inherited and which the public has inherited, has not left us with a good system and we believe we can improve that system. That is

something that is now under active discussion in the government and the legislation will be forthcoming, as I said, later on in the spring. There will be an opportunity for a very full discussion in the House and the government remains committed to auto insurance reform along the lines that we have discussed in the House.

I might make one other point. It would be a pity if private member's hour was turned into an occasion when the whips were used. The whole purpose of private member's hour is to allow members to express their views on an individual basis. That is the whole reason we have it.

#### PAY EQUITY

**Mr Jackson:** I have a question for the member for Hamilton East, the minister responsible for pay equity in this province. The minister would be aware that on 31 January his government announced a pay equity down payment enhancement funding of \$2,000 per female worker in non-profit day care centres across this province.

The minister would also be aware that not mentioned in that release or any public statements by his government was the little-known fact that his government and his ministry had decided that multiservice providers will now be discriminated against and will not be eligible for the same bump funding.

The minister is further aware of the fact that these not-for-profit YMCA child care centres in this province, having implemented pay equity packages, find themselves on comparable footing with the very groups that the Minister of Community and Social Services has provided enhanced funding for. There is now going to be inequity and, as I indicated earlier, about \$700,000 is going to be the shortfall in Metropolitan Toronto alone for the YMCA.

1520

My question to the minister: Since he is responsible for pay equity, why is it that during cabinet discussions on this matter he did not defend the women who are being discriminated against by not receiving this bump funding, not only in the private sector, but also for the non-profit day care centres, which represent about 10% of all the spaces in this province?

**Hon Mr Mackenzie:** I am sure the member knows I am not going to comment on what position who took on what in a cabinet meeting that discussed this matter. However, I should also say I am rather surprised that the member, with the research he does, is not aware of the long-standing position of this party that we do not usually fund for-profit organizations.

**Mr Jackson:** Given that the minister is from Hamilton, we already know that breaking cabinet solidarity will not cost him his job. You have to come from the peninsula and discuss cabinet matters, and that will cost you your job, but within Hamilton you are pretty secure in this government.

The fact still remains that his government has been deadily silent about this issue of the 10% of day care centres in this province which are now going to have to increase fees. These are non-profit centres. These are YMCA centres in municipalities all across this province. I am led to believe and have seen evidence that it is within the



Ministry of Labour that we have the problem. We know the female Minister of Community and Social Services is not prepared to make any statements against the discrimination of this funding. We are coming to the Minister of Labour to intercede on a matter of discrimination against women in this province who are workers. Why will he not make a public statement about this issue?

**Hon Mr Mackenzie:** I think the member would also know that in making the announcement we did just recently in the House, we announced the new procedures, the proportionate value approach and the proxy approach. That is now in the process of being discussed and we have not made the final decisions on the procedures we are using for pay equity.

#### AGRICULTURAL INDUSTRY

**Mr F. Wilson:** My question is for the Minister of Agriculture and Food. The previous week saw the release of the report of his agricultural finance review committee. I would like to ask the minister if he could tell the House when he will be responding to this report.

**Hon Mr Buchanan:** I would be pleased to respond to that question. The agricultural finance review committee's report was alluded to in the statement from the member for Stormont, Dundas and Glengarry earlier in the day. I just received the report last week. There are a number of recommendations in it, about seven in total. They primarily focus on short- and long-term credit support for farmers. We will be studying the long-term credit suggestions that are made in that report and coming up with a proposal. We then will be doing further consultation with farmers, farm groups and financial corporations. I might add that we will certainly be consulting with the opposition members to get their input as well.

In terms of the short-term financial suggestions, we will be putting together over the next few weeks some ideas so that we can respond very quickly to the problems in the farm community in terms of farm finance and interest rate problems. We hope to have something put together in the very near future.

#### MINISTRY OF REVENUE

**Mrs Y. O'Neill:** In the absence of the Premier, to whom I would much rather have asked this question, I will place my question with the Minister of Revenue.

There was a secret meeting on Metropolitan Toronto's market value assessment plan, which the minister held on 20 February with NDP, municipal and provincial politicians. Many interested parties are concerned about this issue, but when she decided to arrange her own meeting, she only invited her NDP friends in downtown Toronto.

The minister will recall when the Premier was responding to questions regarding the Red Hill Expressway last December, favouring the representatives of one provincial political party over another, and I quote, "This is something which I regard as a mistake." Today the Premier changed it and said this was only a lack of common courtesy, so he has changed his mind slightly. But he also has said to us that this sort of privileged access to issues on the

cabinet agenda was "something that I do not want to see repeated."

So I want the minister today to confirm to this House the statement the Premier made, that it is clear that this kind of exclusive NDP consultation should never happen again, is going to be the minister's policy in the future.

**Hon Ms Wark-Martyn:** I would like to answer that question. I had asked members of all three political parties who sit in this Legislature to meet with me regarding market-value assessment, to come and bring their people from their party and meet with me. Both parties on the other side of the House refused that meeting. The members in my party whom I asked to come to attend did attend that meeting. That was not a secret meeting. It was just as open as the invitation was to each of your parties to attend and bring your friends to meet with me.

**The Speaker:** The time for oral questions has expired.

**Mrs Y. O'Neill:** On a point of privilege, Mr Speaker: I have to say I received no invitation to any meeting from that Minister of Revenue, and I really feel that an untruth has been stated there. The meeting I refer to is not the meeting she is referring to. I want that corrected. It has nothing to do with—

**The Speaker:** Time for oral questions has expired.

#### MOTION

Miss Martel moved that, notwithstanding standing orders 8(a) and 94(a), the House will not meet on the morning of Thursday 21 March 1991 to consider private members' public business; and that, notwithstanding standing order 94(h), the requirement for notice be waived with respect to ballot items 5 and 6.

Motion agreed to.

#### REPORTS BY COMMITTEES

**Mrs Caplan:** I have before me two reports from committee. The first is on section 123 issues which were before the standing committee during the intersession. As I table them, I would like to say that as the Chairman of a new committee, I felt the representatives from all three caucuses worked very hard to ensure that the meetings were well attended and that all members had an opportunity to participate.

#### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mrs Caplan from the standing committee on social development presented the committee's report on Multi-year Plan for Deinstitutionalization of Developmentally Handicapped People in Ontario and moved its adoption.

**The Speaker:** Does the member wish to make a brief statement?

**Mrs Caplan:** As I said as I tabled the report, this being the first opportunity that the committee had to meet, I would like to compliment all of the members of the committee, and as Chairman, I would like to compliment all of those who prepared briefs and appeared before the committee. I believe the work was outstanding and the report is one which I think all members of this Legislature



and the public will find of interest. I am also sure that the government will find it helpful as it plans for the future.

On motion by Mrs Caplan, the debate was adjourned.

Mrs Caplan from the standing committee on social development presented the committee's report on children's Mental Health Services in Ontario and moved its adoption.

**The Speaker:** Does the member wish to make a brief statement?

**Mrs Caplan:** Yes, thank you. There were a number of thoughtful presentations and some important recommendations contained in this report. I know it will be of interest, not only to the government, but to all members interested in the development of children's mental health in this province, so I would move the adjournment of the debate commending this report for your interest.

On motion by Mrs Caplan, the debate was adjourned.

#### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented the committee's first report and pursuant to standing order 104(g)(14), the report was deemed to be adopted by the House on Friday 1 February 1991.

**The Speaker:** Does the member wish to make a brief statement?

**Mr Runciman:** Just to say that this is the first report from the committee with respect to the new obligations placed upon it by the temporary standing order I referred to, and that is consideration of the review of intended appointments by the executive council.

Mr Runciman from the standing committee on government agencies presented the committee's report of 30 January 1991 and pursuant to standing order 104(g)(14), the report was deemed to be adopted by the House on Friday 1 February 1991.

Mr Runciman from the standing committee on government agencies presented the committee's report of 31 January 1991 and pursuant to standing order 104(g)(14), the report was deemed to be adopted by the House on Friday 1 February 1991.

Mr Runciman from the standing committee on government agencies presented the committee's report of 5 February 1991 and pursuant to standing order 104(g)(14), the report was deemed to be adopted by the House on Wednesday 6 February 1991.

Mr Runciman from the standing committee on government agencies presented the committee's report of 14 February 1991 and pursuant to standing order 104(g)(14), the report was deemed to be adopted by the House on Thursday 14 February 1991.

#### STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Brown from the standing committee on general government presented the committee's report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 4, An Act to amend the Residential Rent Regulation Act, 1986.

**The Speaker:** Shall the report be received and adopted? Agreed? Agreed. Shall Bill 4 be ordered for third reading? No?

**Mr Brown:** I am pleased today to be able to make a few brief remarks about the standing committee on general government's report on Bill 4. I am certain that every member who sat on this committee would like to take this opportunity to make some remarks about what happened during the Bill 4 hearings and the subsequent review of clause-by-clause of this bill. I am especially looking forward, I think, to the observations of the six NDP MPPs who sat on this committee. Their views and observations might explain to their constituents and to the constituents in Ontario their votes on this very important bill. Many in this province, in fact, would like to see the six NDP MPPs explain their votes on this bill.

First, I would like to spend a few minutes and talk about the process, about the three weeks of public hearings we had, about the fact that the time for these public hearings was totally and woefully inadequate, about the fact that there are 150 people and groups in Ontario that did not have the opportunity to present their views to this committee; 150 people in Ontario could not tell their legislators what they thought about Bill 4 and I find that very unacceptable.

Time and time again, the opposition parties attempted to have these hearings extended to allow those 150 groups and individuals to have an opportunity to speak to us and time and time again the jackboots of the government majority told us, "No, we won't do that." It was really quite instructive to know that the Minister of Revenue pleaded with the committee through a letter for the committee to come to Thunder Bay, to the northwest, a place where the committee was not scheduled to go under the government agenda. What was the answer to the Minister of Revenue, a minister of the crown? The answer was: "Sorry, it doesn't fit our agenda. The people of the northwest don't care or we don't care about the people of the northwest."

We had to fly people from Thunder Bay to Sudbury, which is a long, long way, just so they could have their views heard. It is instructive that those people had to make presentations on behalf of other presenters because those presenters could not make the journey of over 1,000 miles. I found this to be very appalling. I have been in this place for about three years; I have been on many committees. I have never seen such a truncated set of public hearings on such an important issue to the people of Ontario. It is important to tenants; it is important to landlords; but most important, it is important to the people of Ontario to have a fair and just method of communicating their views to the government of the day.

Bill 4 is about rent control. Briefly, it says that for 27 months there will only be an inflation rise in rents. It does, however, allow for some pass-through of extraordinary operating expenses, such as municipal taxes or utilities.



However, it retroactively disallows lawful rent increases. It retroactively changes the law. So what does that mean? That means that literally thousands of landlords out there in this province who obeyed the law, who did what the law told them to do, who repaired their buildings, who made their buildings better for tenants, who had every right to expect a rent increase in line with those improvements under the former legislation do not get them.

What does that mean? That means there are roughly 3,000 small landlords in this province who are facing bankruptcy. They may lose not only their building but their own homes. They may lose everything they have ever worked for. That is what the retroactive legislation does. That is patently unfair and unjust, because for these people in many cases this is their pension plan, this is their retirement income. They made these investments in good faith. In the vast majority of cases they behaved in a very responsible fashion towards their tenants. This is totally unjust for a government of Ontario to come before us, change the law retroactively and decide that thousands of Ontarians will lose their life savings, their investment and maybe everything they have.

1540

Liberals object to that and the Liberal Party will not support that. But I am getting a little bit ahead of myself. Liberals know that there are some problems with Bill 51, the last incarnation of rent review. Like everyone else, we would like a simpler system. We would like control over luxury renovations, we would like disincentives to flip, we would like enhanced maintenance of buildings, we would like the protection of tenants. But Liberals live in the real world. We understand that the private sector will supply most—the vast majority—of rental housing units. It has to. The government quite simply cannot afford to do it. We must be partners with the private sector in providing housing stock for our people. We must be partners with the private sector.

On second reading, our party supported this bill. We supported this bill because we believed that it could be made workable. We believed that with amendments made in committee we could meet the needs of the people of Ontario. We believed that after having looked at the evidence, a bill could come out of committee that made some sense. We were wrong. The Minister of Housing would not listen. His NDP colleagues on the committee simply danced to his tune.

But Liberals are optimists. We believe that we can still support this bill. We believe that in committee of the whole House the government will listen to the sensible and reasonable amendments that we are suggesting to this bill. We believe that if the members of this House thoughtfully look at this bill, look at where the improvements can be found, a bill can come forward that could have the support of all members of the House. It just is a matter of weighing the evidence.

For the enlightenment of my colleagues, I want to take a little run through the committee hearings. The hearings began with the minister making a statement, and a very good statement it was. That is, as we all know, the way all

committee hearings seem to start. They start with the minister making a statement.

The minister spoke eloquently of 100% rent increases out there: "A terrible thing. We can't stand for 100% rent increases. It can't happen. This is Ontario. We can't have 100% rent increases." He spoke of economic eviction. He talked of tenants having to leave their homes because of the extraordinary rent increases in this province. He talked about flipping of apartment buildings. He was most convincing, the Minister of Housing was very convincing.

As a matter of fact, however, he did not quite tell the whole story, and through a little bit of work by the opposition, we thought maybe we would ask the Ministry of Housing about the minister's information. What did we find out? We found out that yes, there were 100% rent increases. I think the number was 84 out of 1.2 million units. The fraction is infinitesimal. It is a small segment of 1%.

Further, we said to the ministry: "Could you outline the cases that the minister has given us? Could you look at the ones that he has cited as examples? Could you tell us if there is economic eviction in these cases?" Guess what, there were not. Do members know why? Because those increases were at the very, very low end of the market, where the rent increase of \$50 or \$60 equalled 100%, or they were at the very, very high end of the market, where people could well afford, and actually wanted, the renovations and were quite prepared to pay the price.

We wondered about that. We asked the minister about economic eviction because all members of the Legislature are very concerned with economic eviction. No one wants to see people put out of their apartments because they cannot afford the rent. That is just simply something we do not want to see in Ontario. We asked the minister: "Could you define economic eviction for us? Could you tell us what that really means? Could you tell us?" He could not tell us, or he did not want to tell us, because we find out that if we use the minister's own numbers, Bill 4 protects, according to what the minister seems to be saying, about 3,000 or 4,000 units, and it is very unclear even within them whether there would be any economic eviction. We find out really that economic eviction most often occurs when people lose their jobs, lose their incomes and can no longer pay the rent. The major cause of economic eviction in this province is job loss.

We talked about flipping. We asked the minister "Could you define a flip for us?" We tried that for, I think almost five weeks. We finally did get a definition—actually, I think it was four different definitions, three from the dictionary and one they seemed to make up—and we found that there was only one study done about flipping in this province, and it was done here in Metro Toronto. Guess what? The findings were totally inconclusive.

That is not to say that these are not problems. They are problems, but they are problems in a small fraction of the units in this province. That does not mean that we should not be concerned; we obviously should be. Therefore, our party presented a number of amendments which would have made the bill more fair and more just, to protect tenants and give them maintenance, but the New Democratic



majority decided that cannot be done. I find that to be quite, quite strange.

The minister, when he was going through his wonderful commencement of the hearings, forgot some real, solid facts. He forgot to tell the committee that the average rent increase in this province was 5.8%. That is about inflation. He forgot to tell the members of the committee that the applications that went to rent review received, on average, an increase of 11%. As we all know, less than 20% of the units go to rent review; hence the 5.8% number. He forgot to tell us that the 100% rent increases were really only a small fraction of the units. He neglected to tell us that rent increases are not the major factor for economic eviction. He forgot to tell us a lot of things.

I wondered about why he would forget to tell us all these things, why he would not provide a slightly more balanced presentation, something that was a little shorter on rhetoric and a little longer on facts. I suspect that maybe he had something to do with the election promise over there. The election promise is quite attractive. In the agenda for power, the New Democrats clearly said that there would be one increase, once a year, tied to inflation. That is all there would be. There would be no pass-throughs. There would be, I think the phrase was, no bonuses to landlords.

The rhetoric was quite wonderful, and if I were a tenant I would find that policy to be pretty attractive. I would like to know that my unit's rent was not going up. On the other hand, I also would like to know that my parking garage was not going to fall down and that my balconies were not going to be trampolines. I would also like to know that the unit was going to be maintained in a livable condition.

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The minister, after some thought, says, "Yes, but in the permanent legislation we'll look after that and you will be able to pass through capital costs." I am wondering about this. Why is it okay before 1 October to pass through capital expenses, why will it be okay after this interim legislation is gone to pass through capital expenditures, but it is not okay now to pass through capital expenses? Why would the people of Ontario want to see their aging housing stock deteriorate for a period of two years? I do not know. The only reason I can think of is the agenda for power. I guess it worked. Here we are.

During the hearings we heard from quite a number of tenants' groups. We heard from tenants' groups here in Toronto, we heard from them in London, Windsor, Ottawa and Sudbury, and we heard their concerns quite clearly. The majority of their presentations centred really on one thing, and what the tenants were concerned about was maintenance. They were concerned that their buildings be maintained because, after all, these buildings are their homes. These buildings are where they live and they do not want them to deteriorate. They do not want shabby-looking buildings, difficult places to live, bad places to raise children. They do not want that.

They came before us and they told us some quite horrendous stories about their buildings. They talked about insect infestations, they talked about crumbling walls,

plumbing that did not work, they talked about a great number of things. My friend the member for Mississauga West asked them virtually every time: "What does Bill 4 do to correct this problem for you? How can Bill 4 be of service to you?" And the answer was the same from every tenants' group that came before us. They said, "It can't help us, it does nothing to help us, nothing, zero." The major concern that the tenants brought before us at the public hearings was maintenance, and the bill does absolutely nothing, zero, naught to help this very, very important problem.

As a matter of fact, Bill 4 does exactly the opposite. We had a great number of landlords come before the committee, and the landlords told us that they had cancelled capital expenditures on their buildings. They would not proceed with capital expenditures on their buildings because Bill 4 had been introduced. Was this because landlords are bad guys? No, it was because the bank would not give them the money, the banker would not give them the money because their revenue would not support the loan. That is why they did not do it. It was not because they were wearing black hats, it was not because they were terrible capitalists; it was because the bankers would not give them the loans because the rent revenue would not cover them. That is why they are not going to do it.

We had before our committee people from the renovation and repair industry, an industry that I did not know but is almost specific to apartments and to rental units—concrete repairers, concrete renovators, people who would fix the balconies, who repair the parking garages. They came before us and they said: "We've lost our contracts. They've been cancelled. They're gone. That means that I as a contractor am laying off my crews. I can't keep the men. As a matter of fact, I'm going to go bankrupt myself." Many of them told us this. We had union representatives who were working in the renovation industry come before us and say: "We've lost our jobs. Our boss has lost his contract. We can't do this."

Now, if I am the Minister of Housing I am going to tell members that there were probably hundreds of thousands of people that this affects. That would not be true. We know that it affects hundreds of people. We do not know precisely how many, but we know it affects hundreds of people who have lost their jobs, who are going to be, or could conceivably be, economically evicted because they cannot pay their rent, because their UI cheque or their welfare cheque is not going to pay the rent. They are going to be economically evicted, and some of them own their own homes. Some of them own their own homes, and their UI cheque and their welfare cheque is not going to cover the mortgage.

That is what this bill does. It is not the recession. It has nothing to do with the recession. It has everything precisely to do with Bill 4. That is why our party offered an amendment to deal with capital expenditures, because we think it is important to maintain our aging housing stock in this province. We think it is important to look after those parking garages that are in dire straits, because many people do not know this, but our stock is aging. Most of our stock is over 20 years old. The salt corrosion in parking garages is an increasingly important and difficult problem.



It takes specialists and wads and wads of money to correct. You need thousands and thousands of dollars to fix these, and yet obviously they need to be fixed. They are a problem for public safety. They are a problem to the tenant.

But that is not going to happen under Bill 4 unless the government decides that it is going to listen to what actually happened at the public hearings. I did not hear any of them, government members, in questioning witnesses before us, say: "You're wrong. You aren't telling us the truth. You're not really being laid off." They did not say any of those things, so I have to believe that the government believed these people were telling the truth.

**Mr Callahan:** Either that or they were wasting the money by having public hearings.

**Mr Brown:** Well, that is it.

**Mr Callahan:** Sure, it's just a sham.

**Mr Brown:** As we progressed through the public hearings, we heard, not just in Toronto but around the province, an important side-effect or sidebar to Bill 4 that I think must be of utmost concern to the people of Ontario, and that is the retroactive nature of this bill. We had big landlords who own thousands of units and we had small landlords who own duplexes and triplexes and sixplexes. We had the little guy before us. What did the big guys say about the retroactive nature of Bill 4? They said: "This isn't very good for us. This hurts our bottom line. But, hey, we're big enough, we'll survive."

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Then we heard from the small landlord. Right here in this building we heard from three people, three men, I would guess of 50 to 55 years of age, who came to this country 20 or 25 years ago. One was a dry cleaner or worked at a dry cleaner's establishment, another worked at a machine shop, and unfortunately my memory does not remember what the other one does, but they were all good, hardworking people who had contributed to this province. They had helped build this province, and their only crime in life was to believe that they should invest in residential real estate, that they should try to make homes for other people. That was their crime.

They followed the rules. They did everything the law required of them. They told the committee that they are going to lose their investment, which is all the capital they have in this world. They have no pension plans. This is their pension. They are going to lose it. They are not going to be able to pay the loan costs without increased rent revenue, and they were told they could do this under the former legislation.

They were careful people. They did as the law required, and their tenants are happy tenants. The tenants do not think the rent increase is unjust. The tenants believe that this was a very fair and reasonable thing to do. Yet the gentleman who was before us who broke down in tears three times is going to lose everything. He told us he would even lose his own house, because he mortgaged it to invest.

He told us, I think, the most striking thing that was maybe said at the entire committee hearings. He kind of mournfully looked up and he looked over at the New

Democrats, who I gathered he voted for in the last election, and he said: "What am I going to tell my children? How could this be Canada? How could this happen in Canada? How could somebody reach back retroactively and take what I have worked for so long? How could that happen in Canada?"

But he was not by himself. He was not the only case this was going to happen to. We had numerous other presenters come before us.

I think of Mrs Carpenter from Sudbury, who took a building that the municipality owned and renovated it so that it would be a decent place to live, and the rents were going to be quite sensible, still a way below market, but Mrs Carpenter is going to lose everything—everything—from helping the municipality. The municipality wanted this to happen, encouraged her to do this, and now a government reaches back and says, "Sorry, you're just going to have to lose everything you ever had in this world." I find that to be totally unacceptable.

So are these two examples by themselves? No. The committee hearings are just full of lists of these people who are in this situation. The opposition is not making this up. These are real people out there, and these real people are going to lose everything they have ever worked for in their lifetime.

Liberals cannot accept that. Our party cannot accept that. We implore the government, in committee of the whole House, to allow the reasonable and sensible amendments put forward by our critic, the member for Eglinton, to fix this great inequity. It just seems to make common sense. It is just. It is fair.

When we brought this issue up at committee, we got sermons from the government. The government would say, "It's for the greater good." What kind of greater good is it that 3,000 people in this province, little people, individuals—these people did not come to the hearings in limousines. These people are just like you and me, no different. They came to us in good faith and they said: "Look, this is what's going to happen to us. Fix it." We presented the amendments to fix it. The government would have no part of it. And all for what? The greater good. "It is the greater good."

We do not think that is the greater good, because the bill at best protects 3,000 or 4,000 units from economic eviction. There are at least 3,000 landlords that are in economic eviction situations. There are at least several hundred or maybe 1,000 workers who are facing economic eviction because they have lost their jobs because of Bill 4. There are more people going to be economically evicted because of Bill 4 than there would be if Bill 4 did not exist, so I want them to tell me how that makes any kind of sense. Can they tell me? No.

When we went through this process, we went around the province. We could not hear everyone who wanted to be heard. It was not possible. The government would not allow us to. They said, "Three weeks is all you get." And the opposition was the most flexible opposition I have ever seen. The people over on the government side, when they were over here, would never have allowed a committee to work the way our committee worked, but we said, "Well,



"I'll try to make the best of the three weeks we have available; we'll do everything that is humanly possible," and we kept to a schedule that was quite incredible. We did our work, but we still did not hear 150 people. We still did not hear 150 groups. We did not get to Thunder Bay even though their own minister thought that was a great idea.

I do not know what this is all about. It is certainly not about consultation, because their minds were made up before they went in. This was show biz. The minister himself, when we brought the point up to him, said, "Aw, gee whizz, oppositions always say that." But never in the history of this province have public hearings on rent control been restricted to three weeks—never. They just wanted to get through the motions. They just wanted to tell us: "Hey, we've done it, but we're not going to change our mind. We're not going to do anything about this."

**Mr Callahan:** It's called the hidden agenda for people. Use their money to lull them into a sense of false security; that's what it's called.

**Mr Brown:** I want to talk a little bit about one of the most bizarre things I think I have seen as a member—

Interjections.

**Mr Callahan:** We were just checking to see if you're listening.

**Mr Brown:** I do not need to be heckled by my own member.

I want to talk a little bit about one of the most bizarre things that happened in the committee hearings. Right in the middle of committee hearings, guess what? The government came down with a green paper.

**Mr Stockwell:** Green what?

**Mr Brown:** Well, supposedly green. They are a green party. The member has heard that rhetoric.

A green paper to talk about the long-term options for housing. This is right in the middle of the Bill 4 hearings. You know: "Do everything you can to baffle and confuse the issue. Just make sure that no one really can figure out what's going on."

When we talk about this green paper and the consultation that is going on because of this green paper, I share the views of my friends the member for Dufferin-Peel and the member for Oriole, because I had the privilege of finding out that the minister was going to appear in Sudbury, which is fairly near my riding. It is only a couple of hours drive from my home, so I thought, "Well, I'll go over to this consultation hearing," or whatever the minister wanted to call it.

**Mr Callahan:** Did they let you in?

**Mr Brown:** I got in and I sat there like a good little boy, because they told me I could not talk, and I listened to what was being said and what was being said was most important. There were a number of very good presentations in Sudbury, but there was no opportunity to dialogue with the presenters. I could not speak to them. The minister had kind of a one-on-one with them. He had fun. It was interesting.

But you know, one of the very interesting things about the hearings was that—I was there. I drove two hours to get to a meeting in Sudbury from my constituency. How many other MPPs were at that meeting in Sudbury? None, other than the minister. Where was the member for Sudbury? Nowhere to be seen. Where was the member for Sudbury East? Nowhere to be seen. Where was the member for Nickel Belt? Nowhere to be seen. And guess where they all live? In the region of Sudbury. They did not care. They had their own minister up there. They did not care what their constituents had to say, but it was okay for an opposition member—the only northern member on the committee, I might add—to drive two and a half hours to get there. These other people were doing much more important things than listening to their own constituents.

So we have some problems with Bill 4. We have some gigantic problems with the way the process has gone through, but we think that can be corrected and we are looking forward to a full debate in committee of the whole House, with the opportunity for the whole House to decide on each of the amendments to make this bill reasonable, sensible and workable, but the government seems intent on polarizing the division. I guess it is the Marxist view of the world. The tenants are the good people. Tenants are good. They are the proletariat. They wear the white hats. Landlords are bad. They are the bourgeoisie. And what you want to do is polarize those two groups, have them at each other's throat so that we can win the next election.

I mean, is that not it? Divide and conquer. Consultation means having private meetings with people in your own party. Consultation means behind closed doors with your pals and cronies. Consultation means if you do not know the secret handshake and the password, you cannot talk to them. That is what it means, and the bourgeoisie and the proletariat will fight to the finish and we will have a wonderful world here at this new Kremlin.

I think it is a great scenario, but I want to tell you members that in Ontario we will have partnerships between government and private enterprise or we will not have affordable housing, we will not have good housing, and the Liberals understand that. We understand that there needs to be a balance in this society, that government cannot just run off by itself. Government must participate, must actually really consult, must come up with a system that is balanced, that provides for maintaining the housing stock and building new housing stock, because private enterprise has to be a partner in both of those. It must be a partner.

This government does not seem to understand that partnerships do not mean that you start off by going out and kicking the other guy in the head. You cannot start that way. You cannot do that. I recall in Ottawa we had a very interesting presentation from two landlords. Mr Speaker, you will be especially interested in this. In Ottawa two women came before the committee. They came up to sit down at the table. It was a very large room. There were maybe a couple of hundred people in the room. They sat down at the table, but before one sat down she put on a cape, a black moustache and a black hat and sat down and said: "That's what this government thinks of us landlords."



They think we're villains. They think that's what we're about." It is hard not to come to the conclusion that they came to. It is almost impossible not to come to that conclusion.

This government is about polarizing. This government is about dividing when Ontario, in the midst of a recession, needs someone who will show leadership and pull us together. Housing is not unlike any other issue in this province. You cannot just throw it away. You have to work with all components of this society to make it work.

In the committee hearings we also saw on two separate occasions NDP committee members using their parliamentary legislative immunity to impugn the integrity of presenters before the committee through character assassination. They thought that was the thing to do. They could not make cogent arguments to turn back the presenters' point of view, but they could do character assassination. It was extraordinary. I have never seen in my history within this place members using their immunity to question the integrity of the witness sitting before us.

**Mr Callahan:** Did they repeat it outside?

**Mr Brown:** This place should be about arguments on ideas, not assassinating people's characters when they have no opportunity to rebut, and they did not do this, as the member beside me points out, outside the committee hearing where they could have some problems with the law. They used their immunity.

I want to tell the members that after the three weeks on this committee in public hearings, I was certain that the government members had to have heard, had to have listened. They were there. But the Minister of Housing's long arm got to them and they did exactly what their whip told them to do.

I have a note here. People are passing me notes. It reminds me that the Bretton Place tenants came before us and they implored—this is a tenants' group—the committee to allow capital pass-through because they wanted an increased level of maintenance for their building. These tenants understood that the money has to come from somewhere, and if they want their lot improved, they will have to pay something for it. They understand that landlords, at least not all landlords have deep pockets and can afford to do this on their very own.

I again will tell the members that I was, very disturbed by what went on at the hearings. I do not think the government listened. But we Liberals, as I said, are optimists, we see glasses as half-full, not half-empty, and we believe that in committee of the whole House we will be able to amend this bill, with the co-operation of the government, so that it can work. Our amendments are not that drastic. They make sense. They improve the lot of tenants.

I implore all members of the House during the committee-of-the-whole process to consider carefully what is being said, consider the actual facts, consider the fact that the average rent increase in Ontario was 5.8%, that there is a minuscule, very small percentage of these apartment units that are facing unreasonable rent increases by anyone's standard. I would ask them to address the problems in rent control, because there are some, and as the

minister said himself it does not matter what system we have, over time problems will develop. I agree with that.

Certainly some of the problems with Bill 151 were not apparent at the time, but are now apparent. We know that there are problems with luxury renovations. We know that there is difficulty with flipping, although not as great as the government might have you believe. We know there is difficulty with economic eviction. We know there are difficulties. Why do we not address those? There have been some very useful ideas on how to address those problems. But as we work towards a long-term, new rent review situation, let's at least maintain some sense of fairness in the old.

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Bill 4 as it now stands is totally unacceptable and should be unacceptable to all members. The facts tell us that. If you take ideology out of the way and you look at the information that is before you, you can come to no other conclusion than that Bill 4 must be amended.

As I stand here looking forward to the debate as it continues and I listen to the six government MPPs tell me what they think about their particular position on this bill, I hope that they will show some retrospect and will look back at this bill. They will look back and say, "Yes, what we heard out there means there must be amendments." They will go to the minister and they will say, "Reasonable people would accept the amendments that the opposition is offering." Hey, we are not egotists over here. If the government wants to draft an amendment that will work, we will support it.

**Mr Tilson:** On a point of order, Madam Chairman: I do not believe there is a quorum.

**Mr Callahan:** Oh, you are kidding. In an important issue like this, there is not a quorum.

**Mr Tilson:** I think my friend should have the respect of the House.

**The Acting Speaker (Ms Haslam):** Check for a quorum, please.

**Clerk Assistant and Clerk of Journals:** A quorum is present, Madam Speaker.

**The Acting Speaker:** Thank you. A quorum is present.

**Mr Brown:** I would suggest to members that we are dealing in rent control with a very, very complex economic regulation. It is incredibly complex, because any time you are playing with market forces, it ends up being very, very complicated, and I would suggest to members, although all of us want it simpler—and the minister himself in Sudbury said, "We want it simpler, but we don't know whether we can achieve it; simple may not work"—members are probably familiar with the old dictum that says, "For every complex question, there is a simple, neat and wrong solution."

I think that is what is being done here in Bill 4. I think that is what is being presented to us, and I again tell the government that we as Liberals want to support it. We want to do what is good for tenants and landlords in this province. We voted for this bill on second reading and we want to be able to vote for it on third reading. We want to



that because we believe that in this House there can be partnership; that all views can be considered and that the rational minds come to bear on a set of facts, we can come up with a solution that works for us all and works, more important, for the people of Ontario; that we can come to that kind of solution.

So we want to vote for this, we really do, but we cannot unless the government decides that it will listen to the people at public hearings, that it will listen to the evidence. It is before it, that it will listen to tenants, that it will listen to landlords and, more important, that government members will go home and talk to their constituents about their view and they will understand that there needs to be changes made.

I am looking forward again to hearing the members of the government speak to this and explain their particular point of view, because obviously it is different from mine, and I do not really quite understand what it is.

**Mr Callahan:** On a point of order, Madam Chair, I do not want to interrupt my friend's speech, but I do not believe there is a quorum in the House.

**The Acting Speaker:** Check for a quorum, please.

**Clerk Assistant and Clerk of Journals:** A quorum is present, Speaker.

**The Acting Speaker:** Thank you.

**Mr Brown:** As I work towards concluding my remarks, I would like to suggest to the government that its long-term green paper solution includes pass-through for capital costs. It includes it, so I implore it again, if before it is fine to put capital costs through and in the future it is going to be fine to put capital costs through, let's pass those capital costs through now, because not to do it creates large numbers of unemployed people. It creates great deterioration in our housing stock. It causes tenants problems with safety and health. It means those parking garages, the plumbing that needs to be repaired, the heating systems, the boilers will not be repaired. If it was all right before and it is going to be all right in the future, why not now? Does that not make sense?

Does it not make sense to remove the retroactive parts of this bill? They help, in the final analysis, not an extremely great number of people. They hurt at least as many people as they help. That does not make a great deal of sense to me. It does not make sense to the Liberal Party, and I am sure this is not a Liberal point of view. You cannot reach back and change legislation, change people's investments, change people's lives, because those apartment owners cannot unbuy the building. It cannot be done. You cannot unbuy a building. You cannot do what the retroactive legislation does. It is certainly unfair, unjust, causes grave hardship and I would think to all members is totally unsupportable.

So with those few thoughts, I look forward to making more interventions during the committee of the whole procedures, and I look forward to voting for this on third reading and making a speech in support because the Liberal amendments to this bill have been accepted. I hope I can do that. I hope that the government will do the reasonable thing, that the government will listen, put its ears on,

because even New Democrats are telling us the same thing. You do not have to be a Liberal or a Tory to come and tell us that this is kind of stupid, this retroactive stuff. Common sense tells you that. So I am sure that as I listen to the six government MPPs go through their speeches at this stage, I will hear some reason to be happy about the result.

**Mr Tilson:** I rise to address the motion of the Vice-Chair of the standing committee on general government to table Bill 4 as amended. I believe that this is probably one of the most damaging pieces of legislation that we have seen from this government as a result of the hearings that have been going on around this province and some of the remarks that have been made in this House by the Minister of Housing. Accordingly, I have taken the liberty of preparing some comments about the process by which our committee did or did not do its job with regard to the proper scrutiny of Bill 4.

As members will recall, Bill 4 was introduced into this House as one of this government's main pieces of legislation last fall. Much of its content was predictable, and I can recall asking the Minister of Housing about the possibility of a rent freeze or a moratorium even before we saw the bill itself.

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I can also recall asking that Bill 4 be referred to the committee so that we as legislators would get the benefit of full public input. I can vividly recall the minister's reaction to that request. I can remember thinking that he was somewhat caught off guard by the suggestion of public input. Subsequent events not only proved the need for public input on this dubious bill, they clearly demonstrated that this government was totally unprepared and ill-equipped to deal with the massive outpouring of sentiment against this proposed act.

We can recall the demonstration that was before this Legislature, outside, several months ago where landlords, tenants, construction people, people who had lost their jobs, appeared at a substantial demonstration, people from all walks of life showing their opposition to this bill. My leader appeared and spoke to the demonstrators, and the Minister of Housing spoke. He is experienced. He has been in this Legislature, he keeps reminding us, 11 years. I do not think he thought it was possible that so many people from different walks of life could appear and speak in opposition to his legislation, his brainchild.

I think that even my Liberal friends totally misjudged the mood of both tenants and landlords. Consider that when we last debated Bill 4 in this chamber on second reading, the official opposition was all over the map. Their critic said one thing one moment in defence of landlords, then only to say another thing to appease tenants. Individual Liberal members took a variety of positions. It is rather sad to see Liberal members speaking out of both sides of their mouths, to tell the people how they intend to solve the problems of the tenants and landlords in this province. They had their chance and they blew it. They prepared terrible legislation which created unbelievable bureaucracy, and yet they stand up to support Bill 4.



On the balance, however, I fully expected the official Liberal opposition to oppose this bill on second reading. They did not; they did not oppose it. The record shows that they supported it and no amount of smooth language about merely supporting it in principle can erase that fact. You know, they said it over and over and over—they are supporting it in principle. Well, that is bunk. Does it mean they were just kidding when they voted for it? Clearly, the Liberals have no idea where they are going.

Now, I know that in committee my Liberal friends came to realize that they may have erred. We supported each other. We supported each other on numerous occasions. But I would suggest that it is they who saw the light. We in this party, the Progressive Conservative Party, have been consistent and steadfast in our opposition to this legislation. The Liberal Party's failure to assess this province, to assess the problems of this province, has certainly been a dismal failure.

I digress, obviously, from the purposes of these comments, and I believe we have a duty to you, each other and the people of this province when we feel that we as legislators are not permitted to do our job as we see fit. I cannot sit here and permit this bill to be reported back without some comment regarding the dubious process by which we considered it at the committee level.

I must tell you that notwithstanding my earlier comments about the other opposition party—and I think they would agree with me in this—the process by which we considered this bill and related matters has caused us a great deal of trouble. Bill 4 has turned out to be, as I have indicated previously, one of the most contentious pieces of legislation of its type to be brought before this House in a very long time. Members should know that I, for one, did not think our committee was allowed to do its job. I remind my fellow committee members, some of whom are in the House now, that I called it the mother of all bills, and I really meant that. Obviously I was playing on words from the disaster across the way, but it has been a disastrous piece of legislation.

From day one the government tried to tie the hands of this committee. Instead of giving the committee the flexibility of setting its own agenda, the new purveyors of open government around here decided that we would not hear from any citizens of this province who had and still have—they still have them—legitimate concerns about Bill 4.

Madam Speaker, let me tell you just how bad it was. By the time the ads appeared in the press indicating that we would be holding public meetings, our clerk's office, the clerk of our committee, had been inundated by requests to appear and had to turn people away who wanted to make presentations to us in person. We had to turn them away.

On 14 January, which was a day before the committee began its work, we in this party put out a press release which indicated that we would be demanding more time for public input, and at that point more than 100 individuals and groups had been unable to obtain standing before the committee. Can you imagine? We indicated that we were prepared to sit evenings and weekends and of course

weekdays that were not scheduled for the hearings, but when the committee met the next morning for the first time on Bill 4, it was our Chair—it was not a member of the government side—who tabled similar proposals to enable more public input. The NDP members of the committee would not listen to the experienced voice of the Chair.

I would like to read to you, Madam Speaker, a letter. I have received many, many letters from individuals who have not been able to appear at this committee. I have just chosen one at random. It happens to be from an individual from Guelph and it is a letter to myself, enclosing a submission—and I am not going to refer to the submission that has been filed with the committee—but just to express his frustration.

"Please find enclosed a submission made to the hearing committee for your reference. My wife, Donna, a landlord after repeated attempts, was not provided the opportunity to personally appear. We are offended. The hearings process was stacked against landlords who want to appear. So much for open government promised by the NDP.

"Thank you for your previous correspondence to us regarding Bill 4, especially the copies of the various press releases published by your party. Bill 4 represents many issues. Issues such as public trust, property rights and retroactive legislation are at stake."

He goes on in his letter talking about his concerns with the legislation, the criticisms from his perspective, all of which of course were debated. But it was debated and he had the right to come to our committee and make these representations. Some of them are novel ideas, some of them are not novel ideas, but the fact is he was not given an opportunity to be heard, as were many other individuals.

He concludes his letter by saying—and this letter has been sent to the Minister of Housing, the Liberal critic myself, I assume the member for Guelph—"Again we ask your committee to seriously review our comments and suggestions. The hearings were to have been a fair process open to all interested parties. However, facts indicate otherwise when so few landlord requests to appear before the committee were refused, ours included, as compared to other groups."

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That is the frustration of individuals who wanted to speak to this committee. They simply were not allowed to be heard. A sad statement for a government that is claiming it is going to be different, that it is going to provide good government. It is not. Government members sat back and watched as we in the opposition moved the necessary motions to extend the hearing time and to travel to other locations in response to demand. Is that the new sort of thinking our Premier promised when he took office? Is that the kind of open government the NDP promised the people of Ontario? I certainly think not.

As we began our hearings, it soon became apparent that more and more people, as I have indicated, wanted to testify on Bill 4. I would like to compliment the clerk of our committee. In my view, and I think members of the committee would agree that that is probably one thing we would be unanimous on, she performed an amazing task slotting in as many people as possible. However, thanks



plans of this government, we still could not hear from those who had something to tell us.

I believe that the number of people who could not be heard—the number of delegations, not necessarily people; could have been delegations representing groups of people—there were 150 delegations who wanted to be heard but could not be, who made requests to be heard but could not be heard, and that does not include the number of people who heard about this failure to enable people to be heard and who simply did not bother because they thought: “Why bother? If 150 people are trying to be heard and they’re not going to be allowed, why should we bother?”

The point that I am making here is that we, the members of our committee of this House, were not allowed to do our job. We did not hear from concerned citizens, many of whom are losing their jobs, their careers, their life savings and their very futures, thanks to this punitive legislation. That is serious, when you lose your job, when you lose your career, when you lose your life savings. It is fine to have a grand pension and, as my Liberal friend indicated, the buildings that these people own, that is their pension fund and it is being destroyed by this government.

I would like members to take the case of one of my constituents, David Hurst of Caledon. Mr Hurst is another of the many people we did not get to hear from, thanks to the single-minded determination of this government to ensure that our committee would not have the time it needed to do a proper job. Madam Speaker, I would like you to permit me to read Mr Hurst’s letter to the committee.

As I said, Mr Hurst wanted to appear before us, but he had to be content with communicating in writing and we heard that, time after time, people had to submit in writing. Why are some people allowed to come to these committee hearings and make their representations orally and others not, others do not even have a chance to do that? Why is that?

Madam Speaker, you be the judge as to whether our committee would have benefited by being able to hear Mr Hurst in person. I would like to read that letter from Mr Hurst. It is a letter addressed to the Chairman of the committee, Mr Mancini, dated 4 February, from David W. Hurst from Caledon, Ontario.

“Dear Mr Chairman:

“I own one 19-unit apartment building that was built in 1976. I purchased the property in 1978 and I have done my very best to maintain the building. I am in financial difficulty as a result of Bill 4. I am not a ‘flip artist.’” Of course, that was one of the reasons that the Minister of Housing stood up in this House and said, “That’s why we’re passing this bill, to get rid of the flip artists.” How many flip artists are there? Anyway, Mr Hurst says he is not a flip artist.

He also says, “I am not putting in marble or ceramic tile flooring or microwave items, and I am not an owner doing unnecessary renovations to purposely increase my rental income.” That is the type of position we heard time and time again from individuals who would come to our committee and make that statement. But this is one of

the individuals who was not even allowed to make representations.

Mr Hurst goes on to say, “The last major interior renovation on the building was carried out in 1929 and now almost everything is worn out.” Well, I should say. “I replaced the old coal boiler a few years ago and I have tried to do ‘patch work’ here and there, but the old lead pipes, porcelain sinks, cast-iron sewer pipes have seen their best days. Even some of the old ‘knob and tube’ electrical wiring is still in place and in some areas could present a potential fire hazard. Even the old heavy ceiling plaster, beyond repair, is falling down in places and needs replacement.

“The exterior of the building is in good condition—the roof is new and the brick work has been repointed and the front wood porches have all been replaced. But the majority of the interior is in poor condition, as my building manager informed me late last summer, and the apartments are ‘unrentable.’”

So much for increasing the housing stock in this province as encouraged by the New Democratic Party.

“As Mr Welsh (building manager) told me, ‘The heating costs are high and everyone in Belleville knows there is no insulation in the walls or attic.’ In fact, during the month of February 1990, one heating bill which the tenants pay was in excess of \$600. The new insulation will directly save the tenants a lot of money, and I know our Minister of Energy here in Ontario is committed to conserve our electrical power (moratorium on building of nuclear power plants).”

That is always an interesting point. I recall asking the Minister of Energy whether her policies of conservation were conflicting with the policies of the Ministry of Housing, which is literally discouraging landlords from improving the conservation of energy in buildings. I recall the Minister of Energy’s response was, “Well, I’ll consult with the Minister of Housing.” Months have gone by and I am anxiously waiting for the Minister of Energy to report whether she has had a chance to talk to the Minister of Housing or whether indeed she does talk to him.

In any event, of course, she said she was going to talk it over with him. She was going to find out whether or not her policies conflict with his policies, and I think we are all waiting in the House anxiously to see whether they do. I believe they do and I challenge the Minister of Energy to come to this House and tell us that, as a result of what the Minister of Housing is doing with Bill 4, that is going to be in direct contravention of her plans to conserve the energy of this province.

Carrying on with Mr Hurst’s letter, he said:

“I made the conscious decision in the late summer of last year to hire a building construction consultant to do building plans for application to city hall for a building permit.

“By the time we got our budget completed (\$400,000 to \$500,000) and approvals in place, it was the middle of October, but it was a ‘go’ situation and we didn’t have to serve any notice for tenants to vacate on the west wing as they were empty anyway. I might also add that no tenant will suffer increased rentals, as any new tenant moving in



is being told of potential increased rental that should be attributable to the work.

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"We commenced by tearing the walls down and removing all the old lathe, plaster and fixtures—a total 'gutting and ripping apart.'"

"At the present time six units have been totally gutted and three of the six units will be ready for occupancy on or about February 15. But I am encountering financial problems. I applied to the mortgage company who holds the first mortgage for a loan to do the work and I received a verbal okay. But after the election and the introduction of Bill 4, my application was further reviewed and I was turned down." The government changed the rules.

Mr Hurst continues:

"I have nearly used up all of my available money and in fact I have moved virtually all of the furniture out of my principal personal residence to a rental town house in Mississauga in order to receive a higher rental as a 'furnished house' to assist in the financing of the Belleville project. Also I have my personal principal residence mortgaged to the maximum limit to assist financially in the repairs. As a result my marriage is suffering and my personal life is deteriorating. It is no fun having your wife and children eat from a picnic table in your dining room in the middle of winter.

"Various people have advised me to stop construction because of Bill 4, but I must go on. I have a commitment to the workers and to the future tenants of the building. I am committed to see the project through to completion and I must emphasize this strong work ethic must not be destroyed by Bill 4 and the proposed legislation.

"I would also like to point out that this Bill 4 and the proposed legislation jeopardizes some very basic principles of investment. Simply stated, if an individual invests money in a Canada Savings Bond, an annual interest income is received. Similarly, if I, as a landlord, invest monies into necessary repairs and renovations, should I not be entitled to raise the rentals adequately to offset the borrowing costs which are required to pay for the materials and labour for the necessary repairs and renovations?

"If this government removes this basic business principle in real estate investment in Ontario, the recovery of all costs over time, including major repairs and renovations, it is my opinion the system will break down." This was told us time and time again by not just landlords but experts. Mr Hurst continues:

"Buildings will deteriorate rapidly as owners will have no incentive to do repairs; financial institutions will not provide any funding; renovation contractors and the various trades will have very little work; many landlords will suffer financial losses and the banks will be forced to foreclose, take back the buildings and perhaps sell them at below the mortgaged amounts. It is possible that this could cause solvency problems for some mortgage and trust companies which is not in the public's interest as the Ministry of Financial Institutions would be called in to subsidize the individual depositors."

Our party, of course, continually asked the committee for a representative from the Ministry of Financial Institu-

tions to attend before the committee. No way, said the NDP-controlled committee, are we going to allow that. We have got an agenda, we have got an agenda for power and we are going to complete it no matter what. We are going to ram this thing through. That is what they are doing.

To continue with Mr Hurst's letter: "I do not believe any of the members of the new government or this general government committee expect me to be a philanthropist and just donate renovation costs to the future tenants of the building, the city fathers in Belleville or the provincial or federal governments."

That is what they are asking the landlords to do. They are asking the landlords to make a donation. They say: "You've been ripping off the system long enough. If capital expenditures need to be done, you pay for them. You've been ripping off the system long enough. It is time you paid." And landlord after landlord after landlord has been coming to our committee and saying, "We don't have the money to do it."

Mr Hurst continues: "Nor do you expect me to lose my residence to the bank when I cannot make my mortgage payments. The money has to come from somewhere and I believe there is a very serious moral and ethical issue at stake."

"Let's work together on this problem. I beg and implore this committee to recommend to the Minister of Housing to demonstrate the necessary flexibility and enact 'general discretionary' provisions in 'hardship exception cases' to allow for reasonable rental increases on legitimate capital expenditures and major repairs and renovations during the drafting and passing of the new legislation and Bill 4 (moratorium period)."

He also included, which I will not read, but he said: "I include a recent letter from the Premier stating that 'For long-term rent control legislation, options will have to be considered for some mechanisms to recognize legitimate capital expenditure' which will be too late for me.

"I ask the committee if 'legitimate capital expenditure' is to be considered in the long-term legislation, should logic not tell us that they should be included now in some discretionary manner?

"Respectfully submitted,

"David W. Hurst, Owner,

"10 Patterson Street,

"Belleville, Ontario."

Can anyone doubt, listening to what I have just read, that Mr Hurst would have made a valuable contribution to our committee's deliberations? That is just a typical letter of people who have written me, and presumably to the Liberal critic and the Minister of Housing, expressing their concern to be heard. All they want to do is to be heard, but the New Democratic-controlled members of this committee simply refused people like Mr Hurst to be heard.

He and others like him should be given an opportunity to be heard. The New Democratic Party, in my opinion, has given new meaning to the word "consult." "We will consult with some of the people but not all of the people. We will consult with whom we select. We won't consult with everyone." We are seeing it today from the Minister of Housing's unbelievable demonstration in this House as



whom he is going to consult with. Worse yet, he is not even going to tell us whom he is consulting with. We did not even get the list as to whom he is consulting with, and he calls these consultation processes public.

When I was elected to this House I guess I had a somewhat naïve view that we are supposed to listen to what people tell us. More and more, however, I am coming to the realization that we are really supposed to listen only to the government. Not only are we supposed to just listen to the government, we are supposed to listen to the minister because, watching the New Democratic members speak whenever they were told to speak in committee, they spoke when they were directed to.

**Mr McLean:** And what to say.

**Mr Tilson:** He has got it. Someone has just said, "And what to say." It is the Minister of Housing who is calling these shots, and this committee report, Bill 4 is a complete waste.

I have another reason for wanting to share my distress with you and with all members of this House. Frankly, I do not think that we as a committee did our job from the standpoint of examining all possible information in order to make an informed judgement on this legislation. Not only the facts, the information and the expert testimony would have necessarily swayed the government members of our committee. From what I have seen, there is no way in a million years they would be swayed. Their mind was made up before the Minister of Housing introduced this bill. Their mind was made up before they were told—

**The Acting Speaker (Mr Villeneuve):** Order, please. There is, I believe, a fire alarm going. There is smoke in the attic and we have had a request for a 10-minute recess.

The House recessed at 1701.

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**The Acting Speaker:** We will now resume the recessed debate. The member for Dufferin-Peel had the floor.

**Mr Tilson:** Obviously, I was told to expect anything from a new member and I am seeing that.

Before I was interrupted, I had raised one of the concerns that our party had, and that was the facts the government was relying on to introduce this legislation. What facts, what information did they have to share with the members of the Legislature and the members of the committee to make the decisions that they were doing? As a member of the committee, I felt that I wanted as much information as possible to come to that committee from experts, from economists. Basically we heard from landlords and tenants. The government almost discouraged us from hearing experts in the various fields. Whether it be economists, tax experts, we were almost discouraged. That is regrettable.

As for information that has been made available to the House or to the committee, I would like to give the members an example. Back in November—back on 28 November, to be exact—I asked the Premier if his government had done an economic impact analysis of its decision to proceed with rent controls. He did not answer that, of course; he referred that to the Minister of Housing and the

minister told this House: "I guess how I would like to respond to that is that we did....we did look at the impact on the economy." That was what he said on 28 November, and he did not stop there, because I asked him to make the analysis available to the House and he responded by stating, "I am certainly prepared—and we will as we go through this process—to share every bit of information we have that helped us make this decision." I did not forget that admission and offer, nor the fact that I immediately wrote the minister to request that material.

I would like to digress for a brief moment. In addition to having this rather idealistic view as a new member that we are here to listen to the people of this province, I also had deluded myself into the apparently false belief that we who are elected to govern are also supposed to make decisions on the basis of the best information possible. Well, I was wrong. Apparently we are not supposed to form opinions or to make decisions, let alone craft laws, on the basis of the best possible information. I will tell members why, and as I do they will further see why this committee did not do—in fact, was not allowed to do its job.

With all the patience I could muster during the committee hearings, I waited for the information about the economic impact of this legislation, and when it was not forthcoming by mid-January when our committee started its deliberations, I once again made the request. This time the minister changed his tune. He told the committee and myself, "We have supplied you all the background information, a compendium of information that is required under the rules." Is that not a startling admission? Because every member of this House knows full well that all government legislation is based on much more than the rather thin compendiums required under the rules of this House. But if this snide remark of a minister determined to imitate some of his more arrogant Liberal predecessors was not bad enough, he proceeded to compound it. The minister went on to say, "I have never indicated in the Legislature that there is an impact study as you described it." I am still waiting for the minister to explain this contradiction. Back in November he said he had an impact study and during the hearings he said he did not have one. So I would like Mr Speaker and members of this House to judge for themselves.

What I ultimately did get from the minister was a letter wherein he attempted to argue that the rate of inflation was outpacing the average rent increase in Ontario. On the basis of this, he argued, we should support a rent freeze. It is a very brief letter. This is his impact study. It consists of, I do not know, three pages—a couple of charts, a couple of drawings and a little more than a page. That is his impact study. That is it. That is what the members of this government based their decisions on to introduce Bill 4. The minister wrote me on 15 February, finally, saying: "Thank you for your letter of 28 November." It took him all that time to respond. He had it 28 November. I could not understand why he could not get it right over to us, but on 15 February he said:

"Thank you for your letter of 28 November 1990 regarding comments in the Legislature on the Residential Rent Regulation Amendment Act, 1990. I enclose summary



statistics prepared monthly by the rent review program. These data clearly show the facts that helped the government come to its decision to put a temporary limit on large rent increases.

"The facts are that the overall rent increases of orders issued by rent review is about 11%, while tenants' average income has increased only 6.5%, according to Statistics Canada. Clearly something had to be done to address this immediate and pressing problem. We have discussed the possible implications with a number of interested parties, but the facts are that more than 330,000 tenant households have had to face above-guideline increases since the current legislation was introduced.

"The facts are that only about 19% of units come to rent review. That means that over 80% of landlords are able to perform capital improvements from their revenue base. I have no doubt that many responsible landlords will still undertake capital improvements without the need to ask for significant rent increases.

"Thank you for your questions and I look forward to the forthcoming discussion on this and other issues."

"Thank you for your questions, and I look forward to the forthcoming discussion on this and other issues." Well, I will bet he does.

1730

Then he proceeds to attach his impact study. It does not really say where it comes from. There are some charts that do not really identify where this is coming from.

I found it totally unacceptable. Was this the economic impact analysis the minister had that convinced him to bring in Bill 4? If it was, well, we are all in big trouble, if that is all he has.

Somebody obviously did not tell this minister that during the 22-month period prior to November 1990, almost 72% of all rent increases subject to rent review were in the range of 4.6% or less. He somehow has failed to advise us of that information.

If the simplistic argument put forward by the minister in his letter to me constituted the full extent of this government's economic impact analysis, we might rightly ask, where was the study of Bill 4's impact on the construction industry, on the trades, on employment, on apartment owners and on the provision of housing in Ontario generally? Where is that information? I know the people in the construction industry who came to us at these hearings would sure like to hear about it, because they are in deep trouble, and they blame it on Bill 4. The people in the trades on employment—thousands of people have been put out of work as a result of the passing of Bill 4. They have lost their jobs and individuals have come to us and made these comments at our committee hearings.

Either this government did its homework when it produced this bill or it did not. If such information does not exist, what does that say about how this government is discharging its duties to the people of Ontario? Is it just a whim? Is it just a dogma whim? If we are going to make a decision, we should base it on facts. We should not do it on the minister's whim. Are we seeing government legislation that is grounded in facts, logic and reason, or are we wit-

nessing legislation rooted in nothing more than dogma, ignorance and bias?

It may be that I am kidding myself, but I always thought we had a responsibility in this House to act on the basis of logic, and not some sort of wrong-headed ideological dogma spawned on the floor of an NDP political convention, and we have all heard how open that is. And if my friends over there think I am being unfair, let me remind them of what Stephen Lewis said. Remember him? Let me remind them what he had to say about his own party policy platform. He once called some of it skit material; yes, skit material.

That was back in the 1970s when Mr Lewis said that, and at that time NDP policy did not matter to the vast majority of people in this province, but today that skit material is slowly being transformed into full-scale, full-blown Broadway productions, and we have no choice of attending. The green paper: We have no choice of attending. That is the Broadway production. That is the skit material. The dream, the bad dream, has become a reality.

To spare this province the pain of enduring legislative skit material, we, the members of this Legislature, have a responsibility to seek out all available information. On the general government committee, we did make many requests for information, and I am the first to admit that we got much of what we requested, but it is what we did not get that is important.

What we also did not get was an adequate explanation of the legal underpinnings of this legislation. You will recall, Mr Speaker, that I asked this House that the minister produce the legal opinion behind this legislation. I wanted to see it for myself, and I believe my party and I believe all members of this Legislature and the people of the province of Ontario wanted to see the legal argument in support of the retroactive portions of this bill. You will remember what the minister told me. He told me that of course the bill had been vetted by the Attorney General's office, the same people, I suppose, who advised the former government on the Sunday shopping legislation, and we all know what happened to that legislation and we all know the chaos that has created and is continuing to create.

I am a lawyer, and it is not my purpose here to suggest that the Attorney General's office does not do its job, but would like to see what it had to say about Bill 4. There is nothing unreasonable about requesting this information, or trying to avoid the taxpayers of this province being responsible for large litigation costs and to avoid chaos. There is nothing unreasonable about this, because if the Attorney General is saying, "Yes, it's similar to the Sunday shopping legislation and it shouldn't be passed," I think this House should know about it. I do not think it is for the eyes only of the minister.

When we got into committee hearings I again raised the issue of legal opinions with the minister and the minister's staff, and I asked how we as a committee were honestly expected to make intelligent decisions without knowing whether the bill was legally sound.

What emerged from our discussion was most revealing. We as a committee were told by ministry staff that Bill 4 was not retroactive; rather, it was retrospective. That



what we were told, and that was in the opinion of the government's legal experts. Retrospective legislation is apparently okay, although you might have a hard time convincing a victim of Bill 4 about that. We have already been put on notice by one group of people in this province that there is going to be litigation on this issue if this issue is implemented. However, retrospective legislation is okay, proactive legislation is not. I suspect chaos will be created, and I suspect that the taxpayer of this province will be put to a great deal of legal costs in determining what is proactive and what is retrospective.

The minister and his officials further admitted that in addition to putting Bill 4 through the usual legal check, a legal opinion was commissioned in the wake of the suggestion by the Fair Rental Policy Organization of Ontario that it might be flawed. Yet another opinion was apparently commissioned when Fair Rental produced its own legal opinion suggesting that the legislation would be open to challenge. Some of you have seen that opinion, and I am not going to—it goes on for 13 pages. But I would like to highlight a couple of thoughts. It is prepared by a very reputable law firm from the city of Toronto, which stated on 12 February 1991, "We are of opinion that the retrospective provisions of Bill 4 violate sections 7 and 15 of the charter and such violation is not saved by section 1 thereof."

So we know where we are going. We know we are going to have a legal battle over a retrospective and retrospective—and this law firm says it is retrospective. So already we know there is a disagreement between the Attorney General's department and this law firm. They state:

"The provisions of Bill 4 are retrospective in that they give a different and more onerous rent review outcome to actions taken and expenditures incurred in good faith at a time prior to the enactment of Bill 4. Indeed, the actions would have been taken and the expenditures incurred in many instances before the last provincial election had even been called," and then they go on to elaborate on a number of decisions, judicial precedents to substantiate that position.

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They further stated: "The retrospective effect of Bill 4 directly affect an individual's right to pursue a livelihood by the ownership and operation of rental property. The retrospective aspects of Bill 4 will leave many individuals with a cruel choice of either giving up their rental property as a means of livelihood with the risk of the stigma of bankruptcy and the loss of other assets, including a home, or becoming a slave to the rental property by diverting other income, including taking a second job"—and we have heard of that in these committee hearings—in order to keep the property afloat. In our view," the solicitors state, "therein lies the real harm produced by retrospective legislation. It leaves the individual affected with it without an ability to avoid its consequences because such legislation changes the legal consequences of actions which have occurred in the past.

"The retrospective provisions of Bill 4 are also discriminatory distinctions that violate subsection 15(1) of the

charter. Bill 4 creates two distinctions: (a) one between those persons who sought or obtained rent increases greater than guideline and those who took guideline increases only; and (b) another between those persons who sought or obtained rent increases greater than guideline for which the effective date of first intended rent increase was on or after 1 October 1990 and those landlords who sought or obtained rent increases greater than guideline for a first effective date before 1 October 1990."

The final passage that I would like to refer to is in the main body of the opinion. They state, "Depending on an arbitrarily selected date, which effectively is at least two months before the election was even called, a person who owns rental property may suffer the catastrophic personal consequences detailed above." The lawyers listed some examples, actual cases of people, average people in this province who have been affected by the retrospective aspects of this legislation and they say, "In those circumstances we believe there has been a violation of the equality provisions of subsection 15(1) of the charter."

I would like to recount what the minister told the committee about government legal opinions. He told us that such legal opinions are between the Attorney General's office and the minister, that indeed a lawyer-client privilege exists. I appreciate the fact that any legal advice that forms part of a cabinet submission will not be shared with a committee of this House or the public. I know that advice to a minister is also specifically exempt from disclosure under the province's freedom of information and privacy legislation.

I would say finally that the government will be reluctant to share with us a legal opinion or assessment about another legal opinion commissioned by a group threatening action against the province. I understand that. It makes sense to me, but that is not what we are talking about here. As a member of the committee charged with reviewing Bill 4, I wanted the comfort of knowing that what we are proposing to pass into law is in fact sound. Is that really too much to ask?

I have a further problem with some of the minister's logic about government legal opinions. Surely the client of any legal opinion is not an individual minister, as was suggested, but rather the people of Ontario. The minister says, "It's mine and no one's going to see it except me." Even his own party cannot see it; even his own committee members will not see it. "It's mine." That is what he said. I thought he represented the people of Ontario. I thought this legislation represented the people of Ontario, but he has got this cutesy little legal opinion in his own hot little hands and he is not going to share it with anybody.

We have no problem asking for expert comment of every kind on all manner of subjects and bills. We do not hesitate sharing that with the public that elects us, but for some reason we stop short of disclosing the opinion of lawyers. How ironic.

Obviously, I was not satisfied with the position taken by the minister before our committee. To me, one of the key issues raised by Bill 4 is its legality. I want to know, and I believe the people of the province of Ontario want to know, whether the government is proceeding on sound



legal footing or just winging it in the hope it can get away with it. Once again, the committee was not permitted to do its job. The government members lined up to defeat my motion requesting production of those legal opinions, as they lined up like so many trained seals to defeat many other motions.

When it happened, I was ready. When the motion happened, I was ready and I handed the minister a freedom of information form requesting the legal opinions. It may be the first time such a form has been personally served on a minister, but I felt that strongly about it, and while I fully expect the minister will claim some form of exemption—and if he does I certainly intend to appeal it to the commissioner—I would ask the minister, if he is listening, to reconsider his position.

Now, while the Minister of Housing correctly pointed out that legal opinions have always enjoyed a certain privilege in the past, something recognized in past governments, including Conservative governments, that in itself is no excuse in my opinion to perpetrate past policy.

The Premier and his party promised us government unlike that which we have never seen before. So far, however, with the possible exception of the antics of the Minister of Consumer and Commercial Relations, we have witnessed business as usual. We have indeed seen a government which we have never seen before in this province, and hopefully we will never see it again.

Mr Speaker, I would ask you to remember the words of the Minister of Housing in this chamber back in November: "I am certainly prepared—and we will as we go through this process—to share every bit of information we have that helped us to make this decision." It should be very clear by now that every bit of information has not been shared with the members of this House or the members of this committee. Indeed, the committee was not permitted to fulfil its mandate and the bill that our vice-chair proposes to be reported back sadly reflects that.

Now, if members want further proof, they should look no further than what happened to the attempt of my colleague the member for York Mills to the committee to hear expert testimony from a representative of the financial community. If members have not seen it, they should read about it. The member for York Mills was scoffed at at that request, simply scoffed. Everybody knows, except possibly the government members, that Bill 4 is going to have, and indeed is already having, a grave impact on lending institutions. Like so many others, they relied on the existing law of this province, only to see it changed and, for many, changed retroactively or retrospectively, depending on which word members are going to use.

In our party we thought it was quite valid to ask a representative of lending institutions to appear before the committee. We moved a motion to that effect, only to see it defeated by the NDP majority on the committee. Once again, a shimmering display of open government on the part of people who promised government unlike anything else we have ever seen. To quote the Premier and lately the Minister of Housing, "Gimme a break."

Once again I contend we were not permitted to do our job. The members of this committee were not permitted to

do our job. We have not been allowed to report back responsible legislation that takes into account the full range of effect on all parties.

1750

Take, for instance, my attempt to have the committee hear from a tax expert. During our Ottawa hearings, the committee was told that, as Bill 4 effectively removes for many landlords the reasonable expectation of profit necessary under tax law to claim losses, its impact is even worse than we could imagine. This fact hit some of us on the committee like a ton of bricks. We were all quite shocked.

Even we were lulled into the belief that landlords in a loss position would at least be able to write off the loss against other income, assuming of course that they had other income. That, needless to say, was the case under rent review. It was built into the system. Landlords at least had the potential of getting out of a loss situation, and the NDP never shrunk from reminding us they were not as badly off as they might have seemed.

It seemed to me that before the committee went very much further in its deliberations, it was essential to hear from a tax expert who could confirm that Bill 4 or any other successor legislation that froze landlords into a loss situation would also preclude their tax loss claims. To my astonishment, the government members of the committee, the NDP members of the committee, seemed to agree with the idea of calling such a witness. They actually agreed on something that we, as the opposition members, put forward. However, there was a catch. We could call such a witness, we could ask that witness any questions we liked just as long as it was done after the clause-by-clause debate was through. Once again, we were not allowed to do our job.

What happens if a tax expert does come to us to discuss Bill 4 and the implications of it on the loss provision and makes comments that would perhaps lead a reasonable man to put forward an amendment? Too late. The bill will have been passed. An amendment might well have flowed from such evidence, but we were being told by the government members, "That's tough." Nothing was going to be permitted to distract the legislative committee from the government agenda. Come heck or high water, Bill 4 will be passed.

Just what is the government agenda? Bill 4, we are told by the committee members, by the minister, is interim legislation. It has also been called emergency legislation, although I am still at a loss to know why we cannot possibly wait for this government to bring in its long-term legislation and depart from simple crass political opportunism. In any case, it seemed quite clear that they had a plan during the election, but all of a sudden now they need to consult. Of course we all know what their definition of "consult" is.

This bill is so important that we as a committee are expected to pass it post-haste, while at the same time the minister thinks nothing of interrupting our deliberations with his presentation of this so-called green paper. Right in the middle of our deliberations, he comes forward with this green paper. Of course, we have all heard of the far of that process and the tremendous expense it is putting on the taxpayers of this province, all for naught, because it



te clear the minister has a grand plan. He is not going to anybody, but he has a grand plan.

The entire process has been badly confused and totally mixed. Many of our witnesses were not even addressing Bill 4. They were telling us about the broader issues of rent control or rent review. The Chairman, bless his heart, tried to keep some order and make it clear that we were there to debate Bill 4, but witness after witness felt so concerned to deal with the overall legislation that much of our time was spent on the overall problem of rental accommodation in this province.

What they had to say will now have to be said all over again in the ministerial dog-and-pony show currently touring the province to get responses to the green paper. When it is said all over again to us, when we examine the long-term legislation, one wonders whether this particular approach is designed simply to wear out the opposition to the government's rent control policies. Well, it wears me out simply describing it.

I should tell you something about the dog-and-pony show. We on this side of the House are not participating in this process. It is not that we are not trying. As I indicated in this House this morning, I wrote to the minister to indicate that I will attempt to attend some of these sessions and expect to participate in those sessions. We will see whether I can but, as I noted earlier, already the member for Oriole was barred. She was tossed out or otherwise frustrated from participating.

Like the rest of us in this House, the member got a letter from the minister informing her of the hearings. Now, I am not saying that we, as MPPs, are not welcome to attend some of these dog-and-pony shows. Some apparently are open to the public while others are apparently very get-togethers between the minister and his friends and supporters. Twenty meetings have been scheduled, only seven of which are public. What is going on at the other 13 meetings? Why can we not hear what is going on at those other meetings? Why can we not participate in those other meetings?

I am told that I am welcome, along with the member for Eglinton, who is the Liberal critic, to come and sit on the stage with the minister and his parliamentary assistant and other government members, but I cannot say anything. I cannot say anything at all. I have a proposition for the minister: Why do the Liberal critic and I not send life-sized cardboard cutout pictures of ourselves to these hearings so that we are appropriately represented in the way the government apparently wants us to be?

These hearings are nothing more than a sham, a joke. Worse, they make an utter mockery of this institution. Day consultation is replacing the processes that the public come to expect and demand from us. If this government was really interested in formulating sound, long-term legislation, it would have mandated our committee from the one to gather information, conduct hearings and make recommendations.

Instead, it chose to waste our time with Bill 4 and launch its own dog-and-pony show. Why? Because we knew full well that a committee of this House, doing its job properly with a proper mandate and adequate time, could not and would not sustain the NDP dogmatic line. But, no, we apparently do not operate that way. The anvil chorus of the government bench still drowns out reason. The brigades of trained seals are ever eager to take the bait of their political masters, still rise up to defeat even the most minor amendment.

One amendment which was made by the opposition was the amendment dealing with economic eviction. The government members of the committee continually reminded us, what are we going to do about economic eviction? It is clear, facts have been presented that 30% of the tenants cannot afford any rent. They cannot afford the rent they are paying now. Seniors, students, poor people cannot afford the rent they are paying now, yet this government is going to introduce Bill 4 or is going to pass Bill 4, which is going to detrimentally affect 30% of the tenants of this province. They do not care about the tenants of this province.

This government simply cannot afford to do things differently than governments have in the past. For one thing, with the exception of a handful of their members, they would not know where to start. They have not the creativity, they have not the intestinal fortitude.

I have a copy of the current Frank magazine. I do not know whether any of you look at that periodically, but it is really an interesting edition. This is the edition of 21 March 1991. They have got an absolutely hilarious two-page feature, entitled "Frank's Provincial Government Abstracts." They have a legend where they itemize—they have a picture of a cannon, calling someone a loose cannon. They have got the hammer and sickle which they call "Running Dog of Marxism." They have another diagram for feminist cabal. They have another item for a person of colour and so on.

The Minister of Housing has got three items called "Lackey of Big Unions," and he has got one hammer, which is a heavy hitter. His description, the summary of him is that he fiddles with rent controls while Windsor burns. It is interesting. I recommend that the members of the cabinet read this. The Premier has two cannons, he has two hammers and sickles and he has a couple of other items. He is called a political Peter Pan hoping for Tinkerbell to sprinkle pixie dust on the recession. The Deputy Premier and Treasurer has seven hammers. He has one person of colour and he has a hammer and sickle, and it says: "Pink Floyd went to bed a Marxist and he woke up as Milton Friedman. Make the rich pay."

I have a few more remarks to make but I notice the time is now approaching six o'clock.

On motion by Mr Tilson, the debate was adjourned.

The House adjourned at 1802.



## ERRATUM

No.	Page	Column	Line	Should read:	
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				Mr Jordan	



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Ael, Donald	Wentworth North	NDP	
Aande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Aen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Aiott, Ted	Wellington	PC	
Air, Charles	York North	Lib	
Aison, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Aird, Hon Marion	London Centre	NDP	Minister of Education
Airdley, James J.	St Catharines	Lib	
Aiswn, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Achanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Aclahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Aclan, Elinor	Oriole	Lib	Chair, standing committee on social development
Acler, Gary	Oakville South	PC	
Aclter, Hon Jenny	Peterborough	NDP	Minister of Energy
Aclrlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Aclarelli, Robert	Ottawa West	Lib	
Aclistopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Aclurley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Aclary, John C.	Cornwall	Lib	
Acloway, Sean G.	Renfrew North	Lib	
Acloke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Acloper, Mike	Kitchener-Wilmot	NDP	
Aclopen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Acladiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Aclaisens, W. Donald	Markham	PC	
Aclunningham, Dianne E.	London North	PC	Chief whip
Aclaling, Alvin	Scarborough North	Lib	
Aclamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Aclageler, Hans	Nepean	Lib	
Aclminville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Aclngnan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
Aclon, Murray J.	Bruce	Lib	House leader
Acls, Ernie L.	Parry Sound	PC	House leader
Aclanan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Aclarcett, Joan M.	Northumberland	Lib	
Aclerguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Aclcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Aclrkford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Acllantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Aclindmaitre, Bernard	Ottawa East	Lib	
Acller, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment



Name of member	Constituency	Party	Other responsibilities
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities
<b>Hampton, Hon Howard</b>	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	
Kwinter, Monte	Wilson Heights	Lib	
<b>Lankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Martel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour



Name of member	Constituency	Party	Other responsibilities
son, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
orth, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
ffer, Steven	Mississauga North	Lib	
Neil, Hugh P.	Quinte	Lib	
Neill, Yvonne	Ottawa Rideau	Lib	
wens, Stephen	Scarborough Centre	NDP	
ruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
ilip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
illips, Gerry	Scarborough-Agincourt	Lib	
lkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
irier, Jean	Prescott and Russell	Lib	
ole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
uliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
ae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
amsay, David	Timiskaming	Lib	
zzo, Tony	Oakwood	Ind	
nciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
aprecht, Tony	Parkdale	Lib	
ott, Ian G.	St George-St David	Lib	
lipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
la, John	Mississauga East	Lib	
orbara, Gregory S.	York Centre	Lib	
erling, Norman W.	Carleton	PC	
ockwell, Chris	Etobicoke West	PC	
llivan, Barbara	Halton Centre	Lib	
therland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
varbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
lson, David	Dufferin-Peel	PC	
irnbull, David	York Mills	PC	
lleneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
ard, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
ard, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
ark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
arner, Hon David	Scarborough-Ellesmere	NDP	Speaker
aters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
essenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
hite, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
ildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
ilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
ilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
ilson, Jim	Simcoe West	PC	
inninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs



Name of member	Constituency	Party	Other responsibilities
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Members: Charles Beer, Marilyn Churley, Ernie Eves, Charles Harnick, Margaret Harrington, Gary Maldowski, Steven Offer, Yvonne O'Neill, Fred Wilson, David Winninger



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# Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Tuesday 19 March 1991

# Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Le mardi 19 mars 1991

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 19 March 1991

The House met at 1330.

Prayers.

## MEMBERS' STATEMENTS

### EDUCATION FINANCING

**Mr Beer:** If people had been expecting this government to make a priority of education, events since the election have shown that this simply is not and will not be the case. Last fall in the government's throne speech little was said about education and its importance to the wellbeing of society.

Then, last month, the government announced that its overall support for education has fallen from 41.5% of total operating expenditures in 1990 to 40.8% in 1991, all this after making a clear and specific promise last summer to raise the provincial level of support to 60%.

To make matters worse, the minister, in testimony before the standing committee on finance during its pre-budget deliberations, stated that what the NDP meant by 60% 10 years ago, last year and especially during the election no longer its position. Now the minister says that they will add various expenditures which were not previously included to make their overall percentage support look better.

To make things even worse, again, the minister admits that there are serious problems with the overall system of educational financing and that the NDP tax commission will examine this issue but, and it is a big but, she says this review will take three to four years. Clearly, whatever the educational financing problems are, they cannot be that serious, in the government's view, if it can take over three years to solve them. Local school boards and local ratepayers need a much clearer and more specific plan of action.

We have heard six months of NDP rhetoric on education. Now we have seen the action, or should I say the inaction. Holy zonkers, education is not a priority for this New Democratic government.

### CUSTODY AND ACCESS

**Mr Carr:** My statement is to the Attorney General. After today the standing committee on administration of justice will once again be examining Bill 17. We feel this is an important piece of legislation and one which must be dealt with immediately. When we go into clause-by-clause, our party will be proposing a number of amendments.

Unfortunately, another concern will not be dealt with in this government in this piece of legislation. I hope the Attorney General will be moving quickly to outline the government's position with regard to access. We have heard moving testimony from parents and grandparents who have been deprived of access to their children and grandchildren. Support is an important part of the equation; access is also important and the failure of this government to deal with both sides of the legislation goes to show how insensitive it is.

The right of parents and grandparents to access is something which this government should proceed with as soon as possible. In order for society to deal with the problems of support, custody and access, the government must show some backbone to deal with the whole equation. I urge this government and the Attorney General to prepare a plan to ensure that parents and grandparents are allowed to see their children and grandchildren.

## HANSARD REPORTING SERVICE

**Ms Haslam:** If everyone has looked below their desks, they will notice that in the official records of Hansard we actually have the official report of debates from yesterday. Rough transcripts, for those who have been here before, used to be available on the day after, but a final printed version used to take three to four days. As of yesterday, 18 March, the final printed version will now be available by 11 am on the following day.

**Mr Jackson:** Oh, we have a private second printer, is that it?

**Ms Haslam:** The member for Burlington South is interested. A disc recording each day's proceedings goes out at the end of the day and the printed copy is produced literally overnight. The Hansard office is justifiably proud and I commend it on its efforts on our behalf.

## CURLING CHAMPIONSHIPS

**Mrs McLeod:** Sports and recreation are enduring passions in my community. Individuals and teams from Thunder Bay often attain national championships, Olympic medals and other sporting achievements. I am proud today to tell the members of this House that last week two more teams from Thunder Bay brought home national championships.

Skip Eila Brown and her teammates Bette Toskovich, Eileen Shiver-Wilson and Arline Wilson captured the senior ladies' curling championship in Victoria. Jason Repay and his teammates Trevor Clifford, Scott McCallum and Aaron Skillen curled to victory in Leduc, Alberta, at the Canadian junior championships. Jason and his teammates were coached by Jim Glenn.

Both rinks had impressive records en route to their win. Eila Brown's rink achieved an unbeaten record throughout the tournament round robin, a rare feat in curling championships. Jason Repay's rink had eight wins and three losses in its round robin.

I am very pleased to be able to acknowledge another example of excellence from my community, and indeed, from Ontario. I know all members join me in offering my congratulations to both of these teams.

## DEVELOPMENT CHARGES

**Mr Tilson:** I read with interest recently that the Premier and the Minister of Education endorsed the use of lot levies as an effective way of financing new school construction. I find it amazing that this new government embraces a policy it so heartily opposed as recently as August.



On 21 August 1990 the Leader of the Opposition sent his response to the Toronto Home Builders Association election questionnaire. When asked about whether he felt lot levies were an effective way to fund new school construction, he stated and I quote: "I strongly disagree. Lot levies are simply a new method devised by the Liberals to duck responsibility for the provision of important services around the province. Lot levies are a method appealing to Liberals because it gets them off the hook and dumps the cost on to new home buyers."

In government, the NDP has proven that its memory is as poor as its judgement. The flip-flop Premier is now comfortable ducking his responsibilities and dumping the costs on to new home buyers. "What was then? This is now" has become a motto of this government as it breaks a promise a week. The tired Agenda for People should be renamed an "Agenda for Power."

#### STUDENT EXCHANGE

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**Mr Drainville:** In the effort to bridge the gap between North American society and the emerging democracies of eastern Europe, it is not only the work of governments such as ours that should be recognized.

I am pleased to bring to your attention the foresight of the Kiwanis Club of Lindsay in sponsoring a student exchange with Czechoslovakia. This is the first such effort by the Kiwanis organization in eastern Ontario. On 20 June, Petra Dohnalova will start her 41-day stay with Melissa Gillogly. Melissa will then journey to Prague on 31 July for the second part of the exchange.

Melissa Gillogly was chosen from a field of eight applicants in Lindsay Collegiate and Vocational Institute for her high academic standings as well as for her commitment to community service. Currently she is participating in a co-op education program with a local law firm and is actively involved in organizations such as Students Against Impaired Driving, Toc Alpha, an international youth and citizenship group, and HOBY, an international youth leadership group.

I have taken this opportunity to highlight just one of the many efforts taking place in my riding of Victoria-Haliburton, and indeed right across our province, to promote understanding and goodwill by our citizens. These efforts show the foresight of a workaday people that solutions to large problems can be found through simple acts of kindness and generosity.

I want to take this opportunity to thank them.

#### UNEMPLOYMENT

**Mr McGuinty:** This House heard the disturbing news from the Treasury yesterday regarding our province's economy and the devastating impact the recession is having on employment. The Treasurer provided us with further depressing statistics regarding the number of jobs lost.

Statistics can help us to better understand the impact of the recession, but only in a limited way. Statistics are scientific in nature. They are abstract. They are cold. They make reference to numbers, and if we rely solely on statistics for our impression of the effects of the recession, we

can lose sight of what should be the most riveting and tragic dimension, the human dimension.

The cost of job losses to men and women, families and whole communities goes far beyond those that are economic in nature. Studies have shown that an unemployed man or woman suffers from tremendous stress. The outlet for the stress is too often violence and too often it is violence within the family. This stress can also result in other kinds of crime, including theft. We also know that an unemployed person suffers a loss of self-esteem and self-confidence, and this regardless of the fact that the cause of unemployment was completely unrelated to the person.

A person who loses his or her job is much more like a person who kept his or her job to become physically ill, to be admitted to a psychiatric institute, to become alcoholic, to go to jail and to commit suicide. Within the family unit itself, unemployment works away like an insidious cancer, putting a strain on relations between spouses and between parents and their children.

I urge this government, I implore this government to develop and implement a program immediately to address the very real and specific needs of those affected by loss of employment.

#### LONG-TERM CARE

**Mr Jackson:** The NDP's long-term care policy remains a mystery in this province. Seniors and persons with disabilities feel let down by a government that has not announced any major long-term care reform initiatives in the seven months it has been in power.

Recently, the mediator in a collective agreement with 44 nursing homes said he would not arbitrate further disputes in the nursing home sector again until the government reforms the system and provides improved funding to Ontario's 300 nursing homes.

Justice Holland, in his recent judgement which considered whether funding of nursing homes violated the charter, stated, "It would be appropriate to base funding on individual need, whether the individual be a resident in a nursing home, a home for the aged or in a private home." The PC Party has long believed that the current extended care system for the elderly in nursing homes is outdated, for the existing system does not recognize the changing conditions of residents.

In 1986, I introduced an amendment to the nursing home residents bill of rights to ensure that residents' assessed needs are met, yet the NDP and Liberal parties voted against those amendments, even though it would have ensured a life of dignity for institutionalized seniors with expensive and challenging needs.

The Bob Rae government has demonstrated a willingness to avoid issues of importance to seniors and persons with disabilities, and it is unacceptable that there is so much uncertainty surrounding long-term care services in Ontario, and even more so that the ultimate losers are seniors and persons with disabilities or, put another way, the citizens of Ontario sooner or later.



## MINISTERIAL STATEMENTS

**The Speaker:** Before proceeding to statements by ministers, on 20 December last the honourable member for Durham rose on a point of privilege, complaining of statements made by ministers outside the House and not during the period normally reserved for statements by the ministry under standing order 31. I want to thank the honourable member for his detailed presentation, which reflected a good deal of research in order to demonstrate the fitness of his case.

However, I must find, as many Speakers before me in this House and other Houses have found, that it is not a question of privilege, nor is it a point of order, for a minister to choose to make a statement outside the House. In effect, our standing order 31(a) states: "A minister of the Crown may make a short factual statement relating to government policy." The member will realize the important word here is "may."

Finally, I would like to quote Speaker Lamoureux on 1 October 1969, when he addressed the House of Commons on this very matter:

"The question has often been raised whether parliamentary privilege imposes on ministers an obligation to deliver communications to the public through the House of Commons or to make these announcements or statements outside the House rather than outside the chamber.

"The question has been asked whether honourable members are entitled, as part of their parliamentary privilege, to receive such information ahead of the general public. I can find no precedent to justify this suggestion. There may be in such circumstances a question of propriety or a question of courtesy. There may be a grievance, but in my view there cannot be a question of privilege."

Again, I thank the member for having brought this to my attention.

## ADVERTISING BY MEMBERS

**Mr Elston:** On a point of privilege, Mr Speaker: I want to bring your attention a violation of the privileges of members of this House with respect to some activities carried on by the member for Downsview. As you will know, part II, article 6, section (f) of the guide tells us that members are not supposed to be using partisan material in terms of our Queen's Park reports. The front page of the report of the member for Downsview, which clearly shows "Queen's Park Report" with a picture of Anthony Perruzza with the following caption, "Anthony Perruzza, MPP, Downsview, NDP," with their insignia, has been mailed out and in fact is a violation. I would ask you to look into this and correct the error.

In fact, Mr Speaker, I think that in this case, because these events are taking place on numerous occasions in the caucus of the government party, you should ask that the expenses for this mailout as a partisan piece of political material be reimbursed to the Legislative Assembly.

**The Speaker:** I appreciate the point of privilege raised by the member, and perhaps he would be kind enough to send me the material. I will look into it and I will report back to him at my earliest convenience.

## STATEMENT BY THE MINISTRY

## PROTECTION OF IN-CARE RESIDENTS

**Hon Mrs Akande:** On behalf of myself and my colleague the Minister of Correctional Services, I would like to advise members of the action that our government is taking in response to the recommendations of the Review of Safeguards in Children's Residential Programs.

The previous government commissioned this report after the serious allegations of physical and sexual abuse to children and youth who were residents of training schools in the 1960s.

The review team, headed by Joanne Campbell, who was then chair of the Social Assistance Review Board, was asked to investigate the systems and safeguards that were currently in place within government-operated or government-sponsored residential programs. As members know, we received the report in January and distributed copies to every member of this assembly.

We are using the recommendations to help us focus and reinforce the government's efforts to do everything possible to ensure the safety of children and youth in residential programs.

Towards this end, the government is providing additional training for agency investigators who deal with allegations of abuse, staff who license residential programs, and those working in young offender programs administered by the Ministry of Community and Social Services.

We are improving information programs for children and youth on how to use complaint procedures and other safety measures that are in place.

We are reviewing organizational structures and staffing practices for young offender programs in Correctional Services, as recommended.

We are introducing and monitoring new standards and procedures for investigating allegations of abuse of children and youth with developmental disabilities.

We are improving advocacy programs for children who cannot speak for themselves. This will be done in consultation with the Ontario Association for Community Living.

We are reviewing in the Ministry of Correctional Services its young offenders service delivery philosophy, reinforcing positive attitudes towards young persons with special needs and continuing to promote its commitment to the provision of the Young Offenders Act requirement for separate and apart facilities.

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The government also intends to review how the Young Offenders Act is being administered in this province.

This action plan is already under way. Components will be carried out in phases.

The Ministry of Community and Social Services has identified \$1.5 million from existing funds to begin the implementation. Overall costing will depend on the options chosen for action. For instance, the model for advocacy for the developmentally disabled will have to be finalized before costing can be completed.

As a further commitment to make sure that this action is carried out, we have asked the office of child and family service advocacy to monitor the implementation of these



initiatives, and both ministers will undertake to keep the House informed.

This government is already acting to improve the safety of people in many different, potentially violent situations. We are acting on the issue of wife abuse and investigating the needs of such vulnerable people as the elderly or the developmentally disabled who live in unlicensed boarding homes. We are looking to improve the system of advocacy for people who are at risk of abuse but need support in speaking up and speaking out.

I know that I am speaking on behalf of every member of this Legislature when I say we all want to ensure that young people are safe in this province's residential programs. Further, we want everyone to have confidence in the existing complaints procedure and its ability to deal fairly with any allegations that arise. These are the goals and in this situation, as in the others I have mentioned, this government will do everything it can to achieve them.

## RESPONSES

### PROTECTION OF IN-CARE RESIDENTS

**Mrs McLeod:** We appreciate receiving the joint response of the ministries to the Review of Safeguards in Children's Residential Programs, a response which we have been awaiting for some time since the review was initially released.

I would guess the first comment that I would like to make is some concern about the funding resources that will be put behind the initiatives that the minister has proposed today. It concerns us to see that the \$1.5 million which is indicated in the announcement as the financial resource to back these initiatives is to be found from existing programs. I would have to ask in all seriousness where \$1.5 million can be found within those ministries, given the fact that there are some severe funding pressures on virtually all of the programs within those ministries, and in particular the area of child welfare, in which there is truly a growing funding crisis.

Certainly I think the response is an indication of a receptiveness to the findings of the Joanne Campbell review and the need for the ministry to establish very clear standards and very clear protocols and practices for following through on the part of staff. We will look forward to seeing those standards established and look forward to understanding the kind of monitoring procedures which will be put in place.

We are appreciative too of the fact that the minister has responded to the clearly identified need for increased staff training. That will be fundamentally important to ensuring that the safeguards can be put in place. There is also an indication, again following the recommendations of the Campbell report, that there will be greater empowerment, greater advocacy, on behalf of children in residential settings. I would have hoped perhaps that it could have been somewhat more specific because the report, the review on safeguards, was very specific indeed, that "MCSS and MCS require that all service providers establish procedures to notify the parent or guardian of a child/youth in their care of a young person's rights and responsibilities and the agency/facility complaints procedures," and, further, that

those "standards, policy and procedures be revised to require that the rights and responsibilities be reviewed with children and youth every six months."

Perhaps one of the greater concerns we have that the minister has not responded to is that there is no indication that there is an intent to look at the recommendation to end the split jurisdiction between the Ministry of Community and Social Services and the Ministry of Correctional Services for their jurisdiction for young offenders. This was clearly a recommendation of the Campbell review, that both ministries should look at this with a view to ending the separate practices and separate approaches and in fact the split jurisdiction.

We are also concerned that there is no indication of whether or not there is an intent to proceed quickly with the further recommendation of the Campbell review, and that was to proclaim the sections of the Child and Family Services Act dealing with intrusive procedures. Clearly, in the review that has been tabled it was felt that this would be a significant part of establishing protocol and practices and in fact training for staff.

There is also a concern that we feel that many of the reforms that are needed are dependent upon the involvement of our child welfare agencies, that they will in fact have greater responsibilities. That leads to the concern again about funding resources and the fact that there is indeed a growing crisis in child welfare agencies now. We are very much concerned that there have not yet been transfer payments to the child welfare agencies announced and we are indeed alarmed that there has been no response to the recommendations of the Ontario Association of Children's Aid Societies that there be a significant reallocation, realignment of policies, programs, objectives and indeed funding.

When this review was undertaken, it was in response to very serious allegations of abuse that we responded, when we were then the government, by setting up this review of safeguards for children in residential settings. There was at that time a very strong call on the part of the then Leader of the Opposition, now the Premier, that there be an independent inquiry into the issue of safeguards in residential settings. We felt that we were unable to undertake that at the time because it was under investigation. There is now a judicial process under way, and in no way would we want to prejudice that judicial process, but we do believe nevertheless that there continues to be at the end of that judicial process a need for the government and its ministries to undertake that independent inquiry so that we can ensure that the concerns of residents in residential settings and the concerns of their families are fully aired and fully responded to in as sensitive a way as possible.

**Mr Jackson:** I am concerned as I rise to respond to the report of the Minister of Community and Social Services to the House today. I am concerned because I find that as lacking today in information as it was when the minister was before the standing committee on estimates less than a month ago, when substantive questions were raised to her with respect to her government's plan to address these important issues. I am quite concerned about what I am seeing and not seeing in this report, so let me



are with the members of the House some of the areas of concern that I think the minister will hear from the community at large, with its continued concerns unaddressed here.

First of all, there are 67 recommendations in Joanne Campbell's report, and from my nearest examination of this report we have less than six of them addressed as part of the minister's statement today.

One of the most important ones is the issue of staffing these institutions. We know that a young woman, Krista App, gave up her life in this province and brought to the public's attention the concerns of understaffing, of night-shifting, and we do not have a clear statement from the government where it stands. I have heard informally that perhaps if older males were to be on staff we would not need to have younger women involved. I find that kind of approach offensive and I certainly do not appreciate, nor does my colleague critic the member for Oakville South appreciate, the notion that we should just review organizational structures and staffing plans at this time.

I can tell the minister that the disabled community is most concerned. If the minister is going to introduce new standards to protect against the abuse of children and youths with developmental disabilities, then I remind the minister that People First, the organization that advocates for disabled residents in institutions in this province, has asked her for standing before the inquiries into the deaths of friends and her government has so far insisted that it not have standing.

I want to tell the minister of her point that there will be advocacy programs for children who cannot speak for themselves, and yet her ministry was dead silent on the issue of providing language and speech pathology services for children with Down syndrome and who are with members of the Association for Community Living in this province. The government will provide an abundance of funding for children to learn a third language in this province, yet we cannot provide the funding for speech therapists and speech pathologists for these children to learn the language to communicate. It is a shame that this government had nothing to say about it.

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What did we get in this report? The minister is going to improve advocacy. Maybe she should spend some money on an internal adviser who can talk to her as minister about the needs of these children so that some day they can at least communicate in one language in this province.

Perhaps the most important concern that we have is the very veiled reference to reviewing the Ministry of Correctional Services' young offenders service delivery philosophy. I have stood in this House and warned members that Children First we have some very dramatic recommendations that we transfer the responsibilities for young offenders—16-, 17- and 18-year-olds with criminal conduct—and that report recommends that they be moved from the Ministry of Correctional Services into the Ministry of Community and Social Services. If that is the true agenda of the minister, please come out and say that. Do not veil it with, "We're going to review a delivery service philosophy."

These are matters of substance. At least, they are in the community of Burlington South, where we have at least two residents who are currently incarcerated for committing murder, and I can tell the minister that my community will be most anxious to get some straight answers as to whether or not these young offenders belong in a social service agency or belong or should be tried in adult court. These are matters of substance and matters of concern, and I find, I am afraid, the \$1.5 million to continue to look at the problem sorely lacking.

**Mr Carr:** I just want to say that I am very pleased that we will be reviewing the organizational structure. I actually had a little bit of an opportunity before Christmas to spend some time at the Syl Apps Youth Centre and actually spend some time on an information picket line while some of the workers were concerned about some of the staffing and procedures. So I hope the minister will take some time to spend and look inside exactly what the procedures are. I actually had a tour to see the facilities and to judge at that time, so I am hoping the consultative process will take place with the workers as well.

#### ANNIVERSARY OF MEMBERS' ELECTION

**Mr Sterling:** On a point of order, Mr Speaker: Just prior to question period, I would ask for unanimous consent to celebrate a very important day today for seven of our members and I would ask everybody to consent to that.

Agreed to.

**Mr Sterling:** I believe it was somewhere around approximately 28 new members who were elected to this Legislative Assembly 10 years ago, on 19 March 1981.

**Mr Sorbara:** A dark day.

**Hon Mr Cooke:** Wasn't that one of the realities of March 19th?

**Mr Sterling:** Some called it a dark day; some called it a day of enlightenment.

Seven members from that election still remain. They are my leader, the member for Nipissing; the member for Parry Sound; the member for Markham; the member for Simcoe East; the member for Leeds-Grenville; the member for Bruce; and the member for Parkdale.

Mr Speaker, in this last election, which I know you enjoyed much more than the 1981 election on a personal basis, you will have noted that there were 70 new members to this Legislative Assembly. That means that if ensuing elections produce the same kind of result, there will not be many 10-year anniversaries that come to many members of this Legislative Assembly.

I think all of these members have shown an ability to be not only elected the first time and represent their constituents in an exemplary way, but they have proven to their constituents on four occasions that they are in fact worthy representatives, and I think they are to be congratulated on this anniversary of their 10th year as members of the Legislative Assembly.

**Hon Mr Laughren:** I recall that recent event back in 1981. I recall that the election was called, I believe, on 2 February for a 19 March date. I remember it because it



was a bitterly cold day and then a cold wind swept across Ontario yet again on 19 March that same year.

But I do want to congratulate the members who were elected on 19 March 1981. There is—

**Mr Harris:** Nobody.

**Hon Mr Laughren:** Nobody among my colleagues who was elected then, but I do wish to congratulate those members who were elected on that date.

**Mr Nixon:** I too want to extend my best wishes to this residue.

**Mr Eves:** That is the nicest thing the member has ever said about me.

**Mr Nixon:** I too remember the election, and somebody interjected when the unanimous consent was granted that as a result of that election, the byword for the next many months, in fact years, was “the reality of March 19th,” which was supposed to satisfy the people sitting on this side that the democratic process had worked and the government’s restored majority, the Progressive Conservative majority, had the right to do whatever it wanted.

It is interesting, there is sort of a little phrase that seems to catch with each election. I can remember a previous one when there was a very substantial Progressive Conservative majority. The Premier used to rise in his place in response to criticism and say, “That is why you are over there and we are over here,” and I used to find that a little bit galling. But the one that is now becoming the earmark of the present administration is, “That was then, this is now.” So I think probably the NDP have found their watchword, their totem, their slogan.

But in spite of all this, of course, we are honoured indeed to be associated with these kind of semiveterans. In our own instance, both members are highly respected and good friends who have accomplished a good deal here.

ROBERT FISHER

I think, just in passing, we should also mark the 10th anniversary of a member of the press gallery who came into these precincts just a decade ago, probably the most moderate and perceptive member of the electronic media, a person who has shown a lot of good balance, and I simply ask you to guess who it would be, Mr Speaker, but his initials are Robert Fisher.

**The Speaker:** Electoral anniversaries, of course, are a very important thing to try to remember and recall, and the kind remarks are certainly appreciated. As you know, the Speaker will at some point in the next little while enjoy his decade of elections. However, based on his career, it is almost impossible to determine when the 10 years will actually happen.

**Mr Nixon:** Perhaps Mr Speaker could send a copy of the remarks to the grieving families.

## ORAL QUESTIONS

### MEMBERS’ CONDUCT

**Mr Nixon:** My interest in the matter of first ministers’ cabinet judgements is similar to that of the former Leader of the Opposition, and on that basis I would like to ask the Premier for some further information on the basis of his

judgement to fire the former minister, who has just completed an hour on the CBC phone-in, which I am sure will give plenty of grist for tomorrow’s question period.

The comments attributed to the Premier have been varied in this regard. The one that I think is most important and the one that should give his colleagues pause is reported in today’s Toronto Star: “It’s a matter about my judgement... And that’s really the beginning and the end of it.” Just remember that one.

In fact I can understand the Premier’s views on this but one that I want to ask him about is the following, “We simply can’t have a situation where ministers are volunteering all kinds of policy ideas and the next day it’s described in one of the papers as the Rae plan.” I wonder the Premier will tell the House if in fact that is a valid reason for dismissing somebody from cabinet and if he can comment, since it is his own words that are reported, as to whether that was a basis for the dismissal of the member for Welland-Thorold.

1410

**Hon Mr Rae:** I do not think I have much to add to what I said yesterday in answer to a number of questions. What I said in the House yesterday and what I said in answer to at least two press scrums was I think consistent with the view that I have long held, and that is that the government has to work together as a team and that as the Premier I have to make a judgement as to the makeup of the team and how it can work most effectively. That is my political responsibility; that is the responsibility that lies with me.

I really do not think it is necessary and I do not have a whole lot to add to what I said yesterday in answer to what was a pretty full question period of very specific questions that were put to me, to which I gave a similar answer, and that is still my answer.

**Mr Nixon:** I would agree that the Premier’s comments in here have been consistent, but his comments to the press have not. He has been much more forthcoming with them, and I can understand why, because in fact he can continue to ask questions and pursue him in this, but he clearly indicated and is reported to have indicated that he was upset with the former minister’s behaviour in talking about matters pertaining to cabinet discussions, which was inappropriate, and it is interesting, since the only one that could be, surely, was his outspoken view on sexism, beer advertising and tobacco ads. The Premier’s Minister without Portfolio responsible for women’s issues was just as outspoken and perhaps even more effective, and yet that did not seem to bother him in any way.

Since he clearly indicated to the public, if not to the members of this House, that that was a concern of his, would he indicate why it was all right for the minister responsible for women’s affairs but was tantamount to reasons for dismissal in the case of the other minister?

**Hon Mr Rae:** I think, if I may say so, the Leader of the Opposition, who is a person with more experience in this place than almost anybody, will know that he is looking for a specific incident or saying, and I say to the Leader of the Opposition, I have to make a judgement



out the overall makeup of the cabinet, about overall conduct, about the way the cabinet is working, and I say very directly to the Leader of the Opposition, that is a judgement that I have to make, that is a judgement that I exercise.

It was not easy. It was a judgement that was necessary, in my view, in order for the government to have the longest possible team as we face this legislative session and as we face the future in the province.

There will be other changes. Cabinets change. Over the years cabinets change. People who were here in 1981 will know that there were many cabinet changes between 1981 and 1985, there were changes between 1985 and 1987, there were changes between 1987 and 1990, and I can only say to the Leader of the Opposition that I have made a change for the reason that I have given in this House and that it is as clear a reason as I can possibly give.

**Mr Nixon:** I accept the fact the Premier has the power and he exercises it, but we are interested not that he made the decision, but what was the basis of his judgement. I rely that phrase must recall to the Premier his days in opposition, where the sanctimonious approach that he took that regard probably more than anything stimulates me to pursue the issue.

Since he was prepared to fire the member for Welland-Thorold over that matter and retain his minister of women's affairs, since he was prepared to fire the member for Welland-Thorold over that matter and retain the Minister of Colleges and Universities and the Minister of Transportation, who had clearly conveyed cabinet secrets to NDP cronies in Hamilton, then it really comes to this—actually, it is exactly what the Premier himself has repeatedly put forward in this House, and I quote him, "It's a question of what the Premier's standards are." That is what he said to Peterson: "Would the Premier not make the decision between the behaviour of some and the behaviour of others and clearly tell us what his standards are?" I quote the present Premier. Will he clearly tell us what his standards are?

**Hon Mr Rae:** Let me just say to the Leader of the Opposition that I can understand his emotion with respect to what has happened in the past and I just say to him that I think I have set out my standards as clearly as I possibly can. I said I want the caucus and the cabinet to work together as a team, that I think it is necessary for us to express in everything we do a sense of solidarity, a sense of partnership with each other and with all the people of the province. That is certainly a message that I have delivered ever since I was elected on 6 September and ever since we took office on 1 October, and that remains the standard today.

#### ECONOMIC POLICY

**Mr Nixon:** Well, the Premier declares that he has got some esoteric standards that cannot be conveyed to the House and that he makes a judgement and that is the end of it and everybody better beware.

I have a further question for the Premier, that I was impressed, actually a bit frightened, by the Premier appearing on the steps of the Parliament Buildings last Satur-

day with a number of vice-presidents of the New Democratic Party, who are also presidents of the major labour unions of the province, to castigate the government of Canada for its policies, which according to the Premier have led to unemployment in this province.

What his motives were in that connection the rules do not allow me to discuss, but I would like to ask him this: While he was blaming the government of Canada for all of the economic ills of this province, did he tell the rally that Ontario has lost 282,000 jobs since his government took power last 1 October and that Ontario has the worst job creation record in the country this winter?

**Hon Mr Rae:** I think the people who were there know far better than either I or, I would suggest, the Leader of the Opposition, how many jobs have been lost. Many of the people who were in the crowd themselves were unemployed. They did not need a lecture from me on what the numbers were. They know those numbers. They feel them every day. Their families experience them.

If the Leader of the Opposition is saying that high interest rates and an overvalued dollar have nothing to do with the problems that we face today, then I would suggest that perhaps he might compare notes with his Treasury critic yesterday, who made that case extremely eloquently in the House.

**Mr Nixon:** The Premier would know since, as he says, he is well aware of these facts, that six of the provinces, which are also subject to the same incredibly bad policies of the government of Canada, had employment increases year over year which are well established statistically, that the province of Ontario fared worse than all the others.

Presumably, however bad the government of Canada is its policies apply equally across the nation, and in my view he should have been fair in talking to this NDP clique that was gathered out on the front steps here with his imprimatur. Did he tell them, as a supplementary, that for example in Hamilton alone, a community that has been hard pressed by the downturn in the economy, his policies to stop the Red Hill Creek Expressway specifically did away with 11,000 jobs that were clearly planned and financed by decisions made previously by the government of Ontario?

**Hon Mr Rae:** I just want to say to the Leader of the Opposition that I think his bitterness about a meeting of trade unionists and his bitterness towards the leadership of the trade union movement is really—I mean, he is entitled to his views, but it is really not a very progressive attitude to reflect in a province in which we are trying to say positive things about business and labour at the same time. Let's face it. It reflects the views of another era that really do not have much place in the partnership that we are trying to create in the 1990s.

Let me say in answer to the question, which was specifically to do with the Red Hill Creek Expressway, that from the day the decision was taken it has been made very clear to the regional municipality in conversations that I have had personally with Mr Whynott as well as with the mayor of Hamilton, Mr Morrow, conversations that have been had with the Minister of Transportation as well as at



the staff level, that we are prepared to put all the money that was supposed to go to the Red Hill Creek Expressway, all that money can go to other projects and we are prepared to advance those projects and to advance the money. We have made that very, very clear to the regional authority in Hamilton.

1420

**Mr Nixon:** The Premier is well aware that the work was about to start, and with his approval it was stopped. What happens in the future we will look at very carefully. But on his decision, the work and the investment was stopped and 11,000 jobs are not found in Hamilton.

I want to ask as a final supplementary, is he aware that the \$700-million program to create jobs, which is often phrased by not the Treasurer but the Premier and others as a billion-dollar program to create jobs, is in fact going to spend only about \$34 million or \$35 million this year, although he has had all the press releases and the benefits of the announcements that will be spent in the next fiscal year?

He would be aware then, being closely associated with the Treasurer, that in fact we take in, in just a bit under two hours in the cash flow that comes into the Ministry of Revenue and under the direction of the Treasurer, the amount of money that the Premier, under his direction, is spending on creating jobs this winter.

That is a little complicated, but I simply put it to you, Mr Speaker, because I have the following quote from the Premier himself, 18 November 1982, a period of time directly compared by the Treasurer with what we are having now by way of economic downturn. The now Premier, then leader of the third party said: "I wonder whether Frank Miller does not think that job creation is worth spending more than two days of provincial revenue. We lost 28,000 jobs last month."

We are losing 50,000 jobs a month on average with the labour-socialist government that the Premier leads. Does he not think that perhaps we should be a little more effective and efficient in allocating money, rather than just making the announcements, so that it is spent when the people are unemployed and need it?

**Hon Mr Rae:** I would say to the former Treasurer that it is true that up until the end of March of this year, of 1991, \$34 million will have been spent.

**Mr Nixon:** That is eight months of this government.

**Hon Mr Rae:** No. Some \$500 million has already been allocated as of now and will be spent through the year, and that additional \$700 million, which is going to generate, according to the agreements that we have already arrived at with the municipalities, \$940 million by the end of the next fiscal year. That represents, together with the \$500 million in tax relief on the retail sales tax not being added to the GST, the most substantial—

**Mr Elston:** You are not going to lose \$500 million; there is revenue coming in.

**Hon Mr Rae:** We are the only government in Canada that is taking this approach as aggressively as we are and we are being criticized for it by other parties and other

people. We are putting more money into the economy precisely in order to generate those jobs.

It is a very tough time for the province. We are in a difficult recession. It is having an impact on everybody's budget, including ours. But I want the Leader of the Opposition to know that nothing has a higher priority, for me personally and for our government, than to see that this investment program works and that we do everything we can to attract investment, new jobs, new job creation in the province. That has to be the message from this point on.

**Mr Harris:** And the more you spend, the worse it gets. But neither one of you seem to have learned anything from this.

Interjections.

**Mr Harris:** Well, 1982. That was then and this is now. Members heard that, so that is what is happening.

#### MEMBERS' CONDUCT

**Mr Harris:** My question is to the Premier. Yesterday and today the Leader of the Opposition and I have attempted to—we tried and failed to understand just what it is or what is not acceptable behaviour and what standards there are that could be understood by the cabinet, by members of the NDP caucus, by members of this House and by the public, and I would like to focus on that for now.

In December it was all right for ministers to breach cabinet confidentiality. "They were only making a mistake." That was his quote. Yesterday we learned that is not necessarily the way things are. It is all a matter of the Premier's judgement. I would like to ask the Premier, since he has given himself the right to sit in judgement on these issues in the absence of clear guidelines, is it good judgement, for example, for a member of his cabinet, already well paid by the taxpayers, to be living in taxpayer-subsidized housing?

**Hon Mr Rae:** I think the question that the member is referring to is the fact that the Minister of Consumer and Commercial Relations, who I appointed yesterday, the member for Riverdale, is now, has been for many years long before she was in politics and after she was elected to politics, a resident in a co-operative development in which there are people of different income levels, which has been the approach of the co-operative movement which has been supported both by the federal government and by the provincial government—and by the member's government—and by the previous Liberal government—so that we have to avoid the possibility of ghettoization.

Now, the member for Riverdale, when she was the member for Riverdale, announced a couple of months ago that she was moving out. She indicated that to the co-op. She is moving out in a very few weeks. That is a personal decision on her part. But I would say to the leader of the third party that the fact that there are people of different income levels who are living in co-op housing is in fact part of the purpose of co-operative housing, where you have subsidized units and market value rents and rents that are at non-market value. That has been the policy of both federal and provincial governments, and she has made the decision to move out. That is our position.



**Mr Harris:** I would point out to the Premier that all of the units are subsidized massively, as he knows, by government. In fact, the minister said last summer before she was elected, she was just on municipal taxpayer dollars, she was embarrassed then to be living in "government-subsidized housing," not embarrassed enough to move out of it then, and still there.

But we are trying to get a handle on the Premier's standards. Let me ask him this. We know, and some of it has been reiterated, what the Premier considered to be good judgement when he was in opposition. I would like to know if he thinks it is acceptable and good judgement to appoint an individual as parliamentary assistant to the Minister of the Environment, knowing that her spouse worked as a consultant for both Laidlaw Waste Systems and Tricil Ltd as a main source of income? As the Premier well knows, both these corporations have major investment and interest in government decisions on environmental issues. I wonder if the Premier considered that good judgement.

**Hon Mr Rae:** Let me just say to the leader of the third party that the member for Riverdale has demonstrated in my view great capacities in her responsibilities as parliamentary assistant for the Minister of the Environment. I am very proud of the work she has done for the Ministry of the Environment. Our guidelines with respect to spouses are published and are clear. I do not want to go back to an era, and I would hope that the leader of the third party would not want to go back to an era, where spouses were prevented from carrying on the work that they have done for a lifetime in terms of where they have been.

**Mr Eves:** That is not what you said about Elinor. Talk about a double standard. That was then and this is now. Talk about an arrogant attitude. Back to the one-party system.

**Mr Bradley:** Too bad they do not burn Hansards. Too bad for you.

**The Speaker:** I am sure that the leader of the third party is pleased that his questions have evoked quite an interest. He would like to place another supplementary.

**Mr Harris:** Thank you very much, Mr Speaker.

**Mr Sorbara:** Let's have an apology right now, because we do not want to go back to that era, except for an apology.

**Mr Bradley:** Let's go through the old Hansards.

**Mr Eves:** That was then and this is now. Welcome to the one-party system in Ontario.

**Mr Sorbara:** Let's never go back to that. We never want to go back to it. An apology would be appropriate, nothing more, just "I'm sorry for doing it." We just want an apology. "Elinor, we are sorry for what we said and did."

30

**The Speaker:** The leader of the third party has waited patiently to place his supplementary. One member in particular has caused the elapse of 30 seconds from the leader of the third party's time. I would ask that we replace 30 seconds on the clock. Please allow the leader of the third party to place his supplementary question.

**Mr Harris:** I think we all understand that that was then and this is now. I would like, however, to ask the Premier about another matter of judgement, one that I raised yesterday. I want to quote to the Premier from the judge who handed down the sentence on the Premier's chairman of caucus, the member for Victoria-Haliburton.

The judge said, "Here is a person who is an elected member of our provincial Parliament, has allegedly sworn his allegiance to Her Majesty the Queen, and yet displays very little respect or recognition for the rule of law which is the very foundation of the system which elected him in the first place."

After the judge saying that, I was a little surprised to read the headline in the North Bay Nugget, "MPP Drainville Gets Posting After Jail," and this quote from the Premier, "'Dennis Drainville has demonstrated his commitment to this government and to the native peoples of this province,' Premier Bob Rae was quoted in the announcement of the promotion for his action that led to the judge's statement."

I would like to ask the Premier if he does not realize that having different standards when he was in opposition, different standards now even as he is Premier in handling different members of his cabinet, is in fact sending very mixed messages, not only to his cabinet and to his caucus, but to this House and to the people of the province of Ontario.

**Hon Mr Rae:** I have heard the question with care and I can only say to the leader of the third party that I think the standards are certainly clear to my colleagues in cabinet, clear to my colleagues in the caucus and clear to the people of the province. Obviously I have discussed them with others. I have discussed them with Judge Evans. Judge Evans discussed the appointment of all the cabinet ministers as well as all the parliamentary assistants. We have gone through that process.

I have gone through a period in the committee where I went and answered questions, where I am waiting for a report from the committee. I am looking forward to that report and to that discussion. If there are improvements to be made in conflict guidelines of any kind, then obviously that is something the government will be paying attention to, but I think that the standards that we have set down are pretty clear.

**Mr Harris:** I do not know how the Premier can conclude that. Obviously it is a cause he agrees with. He can do anything, including breaking the law, going against whatever. He obviously disagrees with the judges who are trying to uphold and administer the law with an example like this running around the province.

My second question is also to the Premier and I want to say to him that I hope he understands that I and I think all members, at least on this side of the House, and I know a number of his members, because they talked to me yesterday, are a little unclear about what is acceptable and what is not in what he has told us over the last few days.

I want to go back to something I think the Premier did say. Perhaps he could confirm this for me. When we were talking about the Red Hill Creek Expressway issue in



December, when two of his ministers gave the cabinet information to NDP aldermen, he said that was no breach of guidelines, none of that, and we may disagree on that, but he said that it was inappropriate and he said that an apology was necessary.

Would the Premier clarify at least that much for me, that that type of behaviour, releasing the information to the NDP aldermen, was inappropriate and required an apology, which the two ministers gave, and would he not expect, after having done that and gone through that in December, that this type of behaviour would not be repeated? How many times is a repeat of this type of behaviour—when do his guidelines suggest that it goes beyond just being inappropriate and is in fact unacceptable to him?

**Hon Mr Rae:** First of all, let me say to the leader of the third party that, listening to the example that he gave, I am not sure what exactly it has to do with guidelines. It has to do, it seems to me, with one's relationship with municipal authorities.

I made it very clear in my discussions with both Mr Whynott and Mr Morrow that I did not feel that the government had handled it all that well and I apologized to them, at which point we then returned to the substance of the conversation, which was their concern about the decision, upon which we naturally, as I think is well known, have two different opinions. But perhaps I could wait for the supplementary before answering a hypothetical.

**Mr Harris:** I will send over to the minister a copy of a press release. I would like the Premier to take a look at this press release which states: "For immediate release: Tony Peters, NDP association president, today announced that three communities in his"—note "his"—"Simcoe West riding have received capital conservation grants," etc.

Now this is New Democratic Party letterhead but this is government money. This is some NDP hack in the riding, not the member, it is not his riding—in fact, the member for Simcoe West is sitting in this House right now—making the announcement on behalf of the Minister of Tourism and Recreation.

I would ask the Premier whether he thinks that this hack even knowing about it is appropriate and whether it is appropriate that announcements are made of government money by any old NDP hack in any riding of this province, even though he is not capable of getting elected in that riding.

**Hon Mr Rae:** The leader of the third party has asked a good question, and I will obviously have to look into the facts behind it. Obviously if an announcement has been made on behalf of the government by somebody of a partisan kind, that is quite inappropriate. I would quite agree with the member on that.

**Mr Harris:** I hope that the Premier is getting the message that not only do we not understand what guidelines or what rules, but his own cabinet obviously is not clear, even after the Red Hill Creek Expressway disaster and a number of others that have been brought to the Premier's attention. This press release also says, "If you want more information, contact the NDP riding association." They will tell members about government money.

This press release was issued, and I appreciate that the Premier wants to investigate it. I would ask him, upon investigation, if he will call or talk to his Minister of Tourism and Recreation about the total inappropriateness of this and if he will have him apologize in this House to the true and actual member for Simcoe West.

**Hon Mr Rae:** I think it is incumbent upon me in a fairness to ask for the facts surrounding the press release which the leader of the third party has shown me. Let me say to him that I do regard it as inappropriate, and when I have looked into it, I will get back to him.

1440

#### AUTOMOBILE INSURANCE

**Mr Mahoney:** My question is to the new Minister of Financial Institutions. Might I begin by congratulating him on his new posting. I do not know if he has had an opportunity yet to walk a mile in the former minister's boots, but I am assuming that he is going to have that opportunity in the near future. That is a simple message, very clearly.

As the minister knows, early last month the US-based insurance company, Safeco corporation, whose Canadian head office is located in my riding of Mississauga West, announced that it was going to stop doing business in Canada. Safeco employs over 300 people, many of them right in the Mississauga West community, and most of the more than 10,000 auto insurance employees across Ontario whose jobs could be at risk due to this government in fact are women on top of that.

In a letter to all Safeco employees and brokers, the corporation president, J. W. Cannon, wrote: "The public acknowledged intention of the newly elected NDP government to establish a government controlled and operated automobile insurance system makes it very clear that we can no longer justify continuing to do business in Canada."

In addition, the Metropolitan Life insurance company announced in January that it will be shutting down its automobile and home insurance businesses in Ontario and Quebec, affecting 229 employees who will be laid off this year.

Clearly, despite the fact that Dominion of Canada fortunately has at least agreed in principle to acquire Safeco Canadian operation, there is little confidence in the future of the private auto insurance industry in this province.

**Mr Harnick:** Where is the question?

**Mr Mahoney:** The question—do not get too excited, I am getting to it.

**Mr Harnick:** We are falling asleep here.

**Mr Mahoney:** Well, I think you have been asleep for the first few days of this House. Mr Speaker, I am sorry, I will direct it to you.

Will the minister explain to this House, is he simply going to follow the ill-fated lead of his predecessor—because we can only assume that is one of the reasons that he was fired—and how is he going to justify to the people of this province introducing a costly government-run auto insurance scheme given the current economic situations and the numerous jobs at stake, particularly when all indications are that the present system is working to the satisfaction of



the driving public, insurance brokers and indeed the companies?

**Hon Mr Charlton:** I would like to thank the member for the question and to try and deal with the comments that he has raised in his long preamble to the question in a number of ways.

First, there have been dozens of insurance companies out of the auto insurance business in this province over the course of the last five years. It has been clear throughout the last half of the last decade that the insurance industry has not been happy with its place in the auto insurance sector and with its ability to earn money under the insurance system in this province of auto insurance.

I recall that the Premier said yesterday that we still intend to proceed with legislation this spring. As we proceed to develop that legislation, the job loss potential, which the member is correct in saying is real, is a major part of our consideration in that process, and we will deal carefully with that aspect of the proposals as we develop them.

Last, in terms of the issue of whether the Liberal plan is working, the member will perhaps know that organizations meeting as late as just this morning and making press releases this morning around those that are being hurt by the current legislation and left outside of the system is going to be a growing concern with each and every day that we allow to pass without reforming that system.

[Applause]

**Mr Mahoney:** Is that applause for the answer or is that for my supplementary that is about to come?

**An hon member:** For the supplementary.

**Mr Mahoney:** For the supplementary. That is what I thought. I do appreciate the minister's answer, his first answer in this House, long overdue, by the way. I thought he should have been appointed to cabinet right off the bat, but clearly the Premier did not consult me.

My supplementary is that this government very clearly has a fairly lengthy mandate. I believe there is at least, that, four and a half years, plus or minus, left? I do not think we are going to an early election under the Premier. So it has a long period of time and I would ask, as I asked the former minister and the Premier in an open letter, if he will consider allowing the current system to run for at least two years during this mandate, at which time he could make a decision as the minister—not the Premier, but as the minister—as to whether or not there were some adjustments that were needed to perhaps correct some of the problems that might be identified in the Ontario motorist protection plan over the next two years. If they truly are totally unhappy at the end of that two-year period, they would still have the balance of their mandate and I assume that they could, within two years, bring in legislation. They would have the time to bring in government-run insurance or debate in this House. But give the current system a chance to function for the next two years. The minister has a chance to show some real leadership without getting into trouble like the former minister.

**Hon Mr Charlton:** Again, I thank the member for the supplementary. I do not have any intention at this point of

getting into any serious trouble, although I have been known to in my life. The member should understand, though, on the one hand, the comments I made in my first answer, that there are people being hurt on a daily basis by their inability to be served by the current legislation.

Second, the member should understand fully the legislative process around this place. The introduction of legislation this spring, a public hearing process which this government is committed to and then an implementation process, in terms of any new legislation, will push us close to two full years of operation for the Liberal plan anyway and it will be clear, in absolute terms, that that plan does not work.

#### MEMBERS' CONDUCT

**Hon Ms Churley:** On a point of privilege, Mr Speaker: It has been alleged in the House today that my spouse and I may have been in conflict when I was appointed as parliamentary assistant to the Minister of the Environment. I want to make it very clear that my spouse immediately resigned from his small contract job that he had with Tricil. Laidlaw bought Tricil out and that is why both of the companies were mentioned. In fact, it is one and the same company that he had a small contract with while he was writing a book. He immediately resigned from that contract. That can be easily confirmed. So I would just like to clarify that my spouse gave up his only source of income, as a matter of fact, during that time and I would like that on the record.

**The Speaker:** I certainly accept the member's point of personal explanation and we resume question period.

1450

#### AUTOMOBILE INSURANCE

**Mr Runciman:** My question is in relation to auto insurance again and I would like to direct it to the Premier. I was heartened somewhat by the answer of the new Minister of Financial Institutions, but the former minister was on CBC Radio today at noon and I would like to quote from that. "Look, there's no big secret about auto insurance. In the caucus and in the cabinet there is a division. There is no secret about my strong association with what you might call the pro-tort group or the pro-tort faction and the fact that it is highly unlikely that I would succumb or change a great deal in that regard. And in that respect, heck, if this hadn't happened now, there would have been something tantamount to it, I suspect, down the road."

That raises serious doubts with respect to the response the new minister made. In April 1987, the Premier co-authored a document on auto insurance entitled Highway Robbery and it said on page 1, "We also believe, just as strongly, that people must retain their right to sue." Last November, the Premier was quoted in the Toronto Star, "There will be fair access to the courts." Last November, he was quoted in the Law Times, "Access to compensation has to be enhanced." And last November he was also quoted in the Globe and Mail, "The new legislation must ensure that people get the right to compensation for pain and suffering."



Will the Premier tell us whether he intends to keep his promises to the people of Ontario by restoring the right to sue for innocent accident victims?

**Hon Mr Rae:** I think the minister, who has responded very capably today, has indicated as clearly as possible the position of the government. I want to say to the member that the government is obviously in a process now of discussing and considering legislation. No decisions have been made. I can assure the member that the system that we will present to the House will be a fair system that will do, we believe, justice for the people of the province, and I think it would be inappropriate for me to comment beyond that until such time as the cabinet itself has had an opportunity to make a decision. I think that is fair.

**Mr Runciman:** I do not know how the Premier has the gall to stand up in the House today and waffle the song and dance that he is giving us. We have innocent accident victims sitting in this gallery. The new minister professes concern for those people. We had a 17-hour filibuster in this House during the last session expressing their concern about innocent accident victims in this province. Now he will not stand up in this House today and tell these people and tell people, thousands of them across the province, that he is still committed to restoring the rights of those victims. Will he not do that? We are looking for a simple yes or no. Will he keep the promise?

**Hon Mr Rae:** It is precisely because of the interests of the people who are in the gallery and many other people throughout the province—I think our party has been working on behalf of them for a very long time—that we intend to bring in new auto insurance legislation this spring.

#### BICENTENNIAL CELEBRATION

**Ms Haeck:** My question is for the honourable Minister of Culture and Communications. As the minister is well aware, the year 1992 is the bicentenary of this great province of Ontario. With respect to that and to the fact that the town of Niagara-on-the-Lake in the riding of St Catharines-Brock was the first capital of the province, a number of my constituents are curious about what celebrations are planned to acknowledge the historic importance of Niagara-on-the-Lake in this province's bicentenary year. Will the minister please tell this House and the province if there are plans for bicentenary celebrations and if those plans do include a role for Niagara-on-the-Lake?

**Hon Mr Marchese:** I would like to thank the member for the question and say that my ministry is very interested in celebrating the heritage years, 1991 to 1993, and we are looking to 1992 as the year to celebrate those events. Indeed, 1992 marks an important year in which the political and legal entity of this province was established 200 years ago. The constitutional act was enacted in 1792 and in 1792 it was the first year in which the first session of the Legislative Assembly of Upper Canada was opened in the current-day Niagara-on-the-Lake.

There are many other celebrations that will happen in 1992. For example, 1992 marks the 75th anniversary of Ontario women first exercising the provincial franchise, an

important event, an important day. The year 1992 is also the 125th anniversary of Confederation. So 1992 will—

**Mr Sorbara:** Read on, Rosario, read on.

**Hon Mr Marchese:** Thank you very much, thank you. So 1992 will also give us an opportunity to celebrate those years in a way that I think will give sense to our collective history. I do not have a specific answer to what we are going to do to—

**Mr Stockwell:** You guys placed the question; you don't even know the answer.

**Hon Mr Marchese:** They are obviously taking some initiatives which I support. There will be celebrations across Ontario and I cannot give a—

Interjections.

**Hon Mr Marchese:** I have instructed my staff to develop—

**The Speaker:** Will the member take his seat, please? None of us may be sure if the history lesson is complete or not. With some trepidation, I ask if there is a supplementary?

**Ms Haeck:** Mr Speaker, there is not.

#### WOMEN IN FILM

**Mrs Fawcett:** In the absence of the Minister without Portfolio responsible for women's issues, to whom we all wish a speedy recovery, my question is for the Premier.

Ministers in the Premier's government recently announced their intention to eliminate beer advertising that is sexist and inappropriate in the 1990s and stated that: "New regulations would be developed in order to tighten government controls in the alcohol advertising industry. The government clearly believes that beer ads are the worst offenders when it comes to portraying women in a sexualized and degrading manner."

Can the Premier explain the apparent inconsistencies between his government's strongly expressed views on sexism in advertising and its failure since taking office to give any direction to the Ontario Film Review Board regarding the widespread availability of explicit sex videos particularly in the light of police and public concerns about this issue?

**Hon Mr Rae:** I must say to the member that I am sure the minister will appreciate her best wishes, and they are certainly shared by all of us on this side.

Let me try to answer the question. I am trying to get into the specifics of the question with respect to beer advertising. I have asked the new minister to meet with the industry to discuss the current guidelines that are in place and to have a serious discussion with him about concerns that have been expressed not only by members of this government but by others, and to say, as well, to the minister that the view—and I want to express my appreciation to the page for having helped me out with respect to the second question because I can say to the member what I have just been advised by people, that the decision of the film review board is essentially, as I understand it, as a matter of principle, that the question of obscenity is to be determined by the courts and is to be determined under the aegis of the Criminal Code.



It is a fact that the police are still laying charges. That their right and responsibility under the Criminal Code. They obviously have an obligation to follow the terms of the Criminal Code in that regard, and there are now two Ontario Court (General Division) decisions which appear to be opposed on this issue; so, obviously, we are waiting for clarification from the Ontario Court of Appeal with respect to whether material that is sexually explicit is in and of itself necessarily obscene, and we are trying, through the Attorney General's ministry, to expedite those outstanding appeals.

**Mrs Fawcett:** There still does seem to be much confusion that we hope in the near future could be eliminated. All members of this House agree on the importance of portraying women in an appropriate and egalitarian fashion in all media forms. However, this government must realize that a full and open review of its policies in these sensitive areas must be undertaken and that the government must not act unilaterally or arbitrarily in taking steps to remedy inequities.

Will the Premier commit today to ensuring that his government engages in extensive and open consultations, not behind closed doors, with respect to these issues and when we might expect these consultations to take place?

500

**Hon Mr Rae:** In a word, I think there should be consultations. I think they need to be open. I think the direction in which we want to go is clear, and the need for us to have an approach which is sound and which is credible and which is understood by everyone is necessary.

In answer to the member's question, I can say to her that one of the first things I asked of the Minister of Consumer and Commercial Relations was that she begin a process of really talking to people so that we can begin to understand the issue better.

#### GOVERNMENT'S AGENDA

**Mr Stockwell:** My question is to the Premier. Six months ago he got elected as the Premier and government of this province and he got elected on a lot of reasons, but the Agenda for People was one of the specific platforms. His party put forward that seemed to be accepted and bought by the electorate. There were a tremendous number of promises made in that Agenda for People that a lot of people suggested could not be accomplished. He stood and expressed his opinion on a lot of those issues. He came forward and said that they would implement these, making a lot of statements with respect to previous governments and not keeping promises. The people of Ontario voted for him hoping he would implement those promises.

The Treasurer was quoted during our hiatus as suggesting: "It would really be misleading to say we intend to implement the Agenda for People in this term of office. No politician likes to live with broken promises." How does the Premier respond to the statement by the Treasurer and what does he have to say to all those people in Ontario who voted for him, believing he would implement his promises and today finding out that he will not?

**Hon Mr Rae:** I do not think that is what the people of Ontario have experienced. I do not think that is a fair description. I think what we are saying, and I think we are trying to be as candid with people as we can about the economic situation in which we now find ourselves as a province, is that we are going to do the very best we can to implement the commitments we have made. The throne speech program is very clear and we are following that timetable as rigorously as we can and that is the process that has begun. We have put the money into the economy that we said we would do in the throne speech; we are following through on the agenda that has been established. The only thing I think that has been said, and I have said it as well, is that obviously the impact of the economy is such that we have to look at the timing as to how we do things.

There is also the question of consultation. We get criticized if we consult. We get criticized if we delay. The fact of the matter is that if we consult, things take a little bit longer and that is the fact of the matter. I think most of the people in the province who look at this on a non-partisan basis understand that very well.

**Mr Stockwell:** The Premier was quoted on 31 July 1990 as saying: "So I don't see that I have any alternative but to say that in the last election, Mr Peterson lied to the people of the province of Ontario about car insurance, about taxes and about free trade. I think the record is one the people of the province are entitled to hear about. I think the people will find it rather refreshing to find a political party telling it like it is and calling it as they see it, which is exactly what we are going to do."

Does the Premier stand by the statement that the ex-Premier, Mr Peterson, was a liar, and when he breaks his promises he is a liar? When the Premier breaks his, is it a responsible government? Some suggest that is a double standard from within his own party. I think it is a double standard too. The question to the Premier is, if Mr Peterson is the liar today that he suggested he was, what does that make him?

**Hon Mr Rae:** Let me say to the member—and I am delighted that he has brought the colourful style of Metro council to this august chamber—that what I said in the statement he has made with respect to telling it like it is, is exactly what I tried to do in the answer I gave him in the beginning, and that is that we confront the most serious recession since the Second World War. It would be strange if the first thing we were to say is that we are just going to let everything go, that we are just going to let her rip and in the space of 18 months do things that in the circumstances are not possible to do immediately. However, there are lots of things that we are doing and there are lots of things we are going to do in meeting our commitments and in meeting the agenda we have set out.

#### RETAIL STORE HOURS

**Mr Huget:** My question is to the Solicitor General. I and several church organizations and labour organizations have been disturbed by recent media reports which indicate that for the first time ever in Ontario several large retail chains intend to open for business on Good Friday.



My question to the minister is, what action, if any, is the minister planning to take on this very important issue?

**Hon Mr Farnan:** I would like to inform the House that we can anticipate a ruling from the Court of Appeal some time tomorrow, probably at around 10:30. If the constitutionality of the current legislation is upheld, I would advise the House it is my intention that the law be applied and enforced. Now, on the other hand, we are faced with the possibility, given the media reports, of several large retailers who have indicated that had they the option they would open. I am meeting with these retailers, senior management, at 4 o'clock today and among those who have agreed to meet with me are The Bay, Simpsons, Loblaws, A&P, Dominion, IGA and Food City. I advise the House that I shall be asking from this group voluntary compliance in not opening on Good Friday.

#### MINISTRY OF REVENUE

**Mrs Y. O'Neill:** I have a question for the Premier regarding the Minister of Revenue's decision to hold a secret meeting on Metro Toronto's market value assessment plan inviting only NDP municipal and provincial politicians. Other non-NDP municipal politicians throughout Metro were outraged and certainly felt completely left out of a discussion they felt they should be part of. Toronto city councillor Michael Walker made a formal complaint on 22 February when he said, "I'd like to know what secret arrangements they are cooking up behind closed doors." The Premier responded to accusations of cronyism regarding the Red Hill Expressway last December in this House by saying, "This partisan, preferential access was something that I regard as a mistake and something that I do not want to see repeated."

Would the Premier please confirm to this House today that the Minister of Revenue also has made a mistake in her secret meeting with NDP supporters, especially on an issue as sensitive as market value? And has he made it clear to her, and will he confirm to this House, that he will not allow preferential access to the government's agenda?

**Hon Mr Rae:** In fairness to the Minister of Revenue, I really think I should let her answer the question directly.

**Hon Ms Wark-Martyn:** A similar question was referred to me yesterday by the member for Ottawa Rideau. I cannot verify whether or not Mrs O'Neill was contacted directly about attending a meeting on market value assessment. I know both the leaders of the other parties were offered meetings for their caucuses. They declined. Earlier this year my office contacted the offices of the Leader of the Opposition and the leader of the third party at least twice to offer meetings for their caucuses on market value assessment. Those offers were declined. The Leader of the Opposition's office at one point agreed to a meeting in February, but called back to cancel. My office was told they would prefer to address the issue when the House returned. I am sorry if these invitations were not passed on to any member of this House. Perhaps they should check with their leaders' offices.

I should also point out that the member for Etobicoke West offered to present his own views, but since I wanted to hear from all interested members, we agreed with his

leader's office to postpone until their caucus had discussed the matter. If either caucus has reconsidered and would like to meet with me, I would advise them to please contact my office and I will meet with all of them as I have met with city councillors in Metro. I will also inform the members of the Legislature that I will continue to meet with New Democrats, with Liberals, with Conservatives on any issue which they wish to discuss with me.

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**Mrs Y. O'Neill:** Mr Speaker, on a point of privilege. This is the second day in a row that I think this House is attempting to be deceived. I am positive that the Minister of Revenue knows that we are talking about two distinct meetings. The meeting she is referring to that my leader was invited to was in January. I am talking about a meeting of Toronto city council in the month of February. She knows that, and I find it less than helpful that she is insisting I was invited to a meeting or should have been invited to a meeting. I have asked her ministry for my briefing on the Assessment Act. I have not been given this and I am now going to ask for a late show on this item because I think it is very serious.

**The Speaker:** The Speaker certainly appreciates any differences of opinion which occur. As the member knows, it is not a point of privilege. I take it the member realizes the rule with respect to filing at the table for the late show.

**Mr Stockwell:** I have a point of privilege as well. Again, we are talking about two specific meetings at two very different times. Now, I was never invited to this meeting in Metropolitan Toronto or Toronto city council, and the meeting was specific to members of the NDP caucus on Toronto city council. That was not offered to us; we were not allowed to attend and the suggestion that we were invited to this meeting should be withdrawn. We never were.

**The Speaker:** I certainly appreciate the member's point of interest and point of view. It is not a point of privilege, as the member realizes.

**Hon Miss Martel:** Mr Speaker, before you continue, we take exception to the word "deceived." I think that is not permitted and I would ask that you ask the member to withdraw that. If they want to take up this issue at the late show, that is fine, but I take exception to the use of that word which implicates that this minister has not told the truth to this House and it should be withdrawn.

**The Speaker:** To the government House leader: I appreciate your raising the matter. I listened very closely, and while I am not convinced that the phrasing was directed to the member personally I will, however, take a look at Hansard. I will be quite pleased to do that and I will report back to you later.

#### MOTION

##### COMMITTEE SCHEDULE

Ms Martel moved that the order of the House of Wednesday 28 November 1990 establishing the schedule for committee meetings be amended by striking out "the standing committee on government agencies may meet on



Wednesday mornings" and substituting therefor "the standing committee on government agencies may meet on Wednesday mornings and Thursday afternoons following routine proceedings."

**The Speaker:** Shall the motion carry? No?

**Mr Eves:** I would like to speak to the motion, please. First of all, I have not received a copy of the notice of motion. Second, it is my recollection from the House leaders' meeting that this committee was going to be authorized by the House leaders to have one additional sitting day upon the agreement of all party whips.

It is my understanding, from talking to my whip, that the whip of the Liberal Party and the whip of the New Democratic Party agreed. They held the meeting which my whip did not even know was taking place until the meeting was in progress, and after she was informed the decision had already been made. We absolutely do not agree, and I think it is going to be very difficult to find a time, in view of this attitude, that we will agree to.

**Hon Mrs Coppen:** On a matter of personal privilege, please, I would like to clarify it.

**Mr Eves:** Personal privilege? Nobody has suspended the whip's personal privilege.

**Hon Mrs Coppen:** Excuse me, the honourable member, the opposition—

Interjections.

**The Speaker:** Would the member take her seat for a moment, please. Sometimes we move into these procedures and people are not entirely clear. There is a motion on the floor which is debatable and we are entertaining discussion on that motion and I have recognized the government whip.

**Hon Mrs Coppen:** I would like to participate in the debate. The committee was called. The three whips: It was set up that we were to meet at a certain time, yesterday morning at 11 o'clock in the House leader's boardroom. The member for Mississauga West from the Liberals and I sat there until 11:20. No one came. We discussed, because we have this problem; the committee does have to meet. So we came up with the arrangement and notification was given to the whip of the Conservative party. She and I just spoke about it a few minutes ago. My staff made a statement to her to her satisfaction and it is going to be taken care of tomorrow in committee.

**Mrs Cunningham:** Yes, I did get a notice of meeting. So, I could not be there and I did advise the office that I could not be there. I will say this, that we tried all day yesterday to solve this problem. I have just talked to the whip and we have both agreed that the Chairman of the committee, who is our member for Leeds-Grenville, will in fact discuss this with the committee tomorrow. So there is no problem. I believe the motion should be withdrawn.

**The Speaker:** Do any other members wish to participate in this debate? The government House leader.

**Hon Miss Martel:** Thank you, Mr Speaker. You have heard all of the facts as best I can describe them from what has happened. It seems to me that if an arrangement can be worked out, I would be more than willing to try to do that.

It was my understanding that it had been clarified with everyone and that is why I proceeded with the motion, as we had agreed at the House leaders' meeting that the whips would decide and get back to us. So if there has been an error in that, I certainly apologize. But as to what had happened yesterday with respect to who called whom and who did not, I cannot comment on that. You have heard what the whip has had to say and what the whip from the Tories has had to say. It is my recommendation that I withdraw the motion. We will try to proceed with this tomorrow in a way that everyone will see it and be agreeable to everyone.

**The Speaker:** So the motion is withdrawn and the House leaders will undertake to resolve the matter at a later date.

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## PETITIONS

### ABORTION

**Mr Cooper:** I am presenting a petition from the Catholic Women's League of St Ambrose Parish in Cambridge signed by 272 members.

### RENT REGULATION

**Mrs Cunningham:** I am pleased to table a petition to the Lieutenant Governor and the Legislative Assembly of Ontario. It is signed by 68 tenants of an apartment building on Huron Street in London who are opposed to Bill 4, and I have added my name to this petition.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Wiseman from the standing committee on finance and economic affairs presented a report on pre-budget consultation 1991.

**Mr Wiseman:** I would like to thank the members of the committee for the fine work that they did over the three-week period, listening to over 60 oral briefs and reading 30 other written briefs that were presented. I would also like to extend my thanks to the library researchers and the writers who worked so diligently on this report.

### STANDING COMMITTEE ON ESTIMATES

Mr Jackson from the standing committee on estimates reported the following resolutions:

That supply in the following amounts and to defray the expenses of the following ministries and offices be granted to Her Majesty for the fiscal year ending 31 March 1991:

Ministry of Energy: ministry administration, \$10,940,500; policy and planning, \$4,956,300; energy development and management, \$29,456,700; Ontario Energy Board, \$5,704,100.

Ministry of Community and Social Services: ministry administration, 46,171,600; adults' and children's services, \$5,799,612,300.

Ministry of Treasury and Economics: ministry administration, \$9,530,700; Treasury, \$6,102,500; budget and



intergovernmental finance policy, \$8,198,000; economic policy, \$72,152,400.

Ministry of the Environment: ministry administration, \$32,608,600; environmental services, \$146,380,300; environmental control, \$117,403,800; utility planning and operations, \$352,289,500.

Office Responsible for Senior Citizens' Affairs: Office Responsible for Senior Citizens' Affairs, \$8,432,600.

Ministry of Northern Development and Mines: ministry administration, \$22,021,500; mines and minerals, \$51,394,700.

## INTRODUCTION OF BILL

### CITY OF NORTH YORK ACT, 1991

Mr Perruzza moved first reading of Bill Pr54, an Act respecting the City of North York.

Motion agreed to.

## ORDERS OF THE DAY

### REPORT, STANDING COMMITTEE ON GENERAL GOVERNMENT

Resuming the adjourned debate on the motion for adoption of the report of the standing committee on general government on Bill 4, An Act to amend the Residential Rent Regulation Act, 1986.

**Mr Tilson:** I do have a few concluding remarks from yesterday. Unfortunately, we of course had a short delay as a result of the fire alarm.

The basis of my remarks is procedural. We feel that this motion is premature. If the House recalls the terms of reference of what the committee is supposed to do, the committee was supposed to study not only Bill 4 but the green paper being presented by the minister, even though at the time of that resolution of this House the green paper had not been introduced.

I think, second, it was quite clear that there were a large number of individuals who wished to address the committee and who had not received an opportunity to do so. The basis of the green paper has caused us a great deal of concern. There had been, up until some of our comments earlier, a secret as to where these hearings were going to take place. We are now starting to receive telephone calls and messages, from this party at least, as to where these places are being held. However, now we are being told we cannot speak at these things. So bring out the cardboard cutouts. I guess that is all we can do.

I think the point of my remarks is that the process is greatly flawed. The Legislature requested the committee report on the green paper, and now the minister has interfered with the proceedings and is taking his own hearings around the province, some of which are public and some of which are not, none of which we are allowed to speak at. In fact, there have been some concerns by some groups. There is a newspaper report from Windsor which talked about comments that were made by a ministry employee who answers the 800 line dedicated to scheduling appearances. It was stated that private hearings are being arranged by invitation only and the public sessions are screened before a person can even make a 7- to 10-minute

presentation, a most strange procedure from what is normally conducted by committees of this House. The new release continues by saying, worse still, that you can ask all the questions you want during your seven minutes, but as we found out in Barrie and Ottawa, the minister is not obliged to answer anything. So these presentations are being made but there is no consultation at all. Again, repeat that the whole process is premature and the committee should be allowed to do what we were requested to do.

My concluding remarks, if I could continue, are that I would like to certainly admit that, from my comments yesterday I was successful in getting at least one witness before our committee who really made an impression. I would like to remind the members of this House that back in 1982 the former Conservative government initiated the Commission of Inquiry into Residential Tenancies, better known to us as the Thom commission, and the first volume of the commission's report was released in 1986, while the final report came out in 1987. The former Liberal government did not wait on the findings of Thom before it introduced Bill 51 and the then Housing minister, Chaviva Hosek, immediately rejected the \$3-million Thom report on the ground that it would cost tenants \$300 million to implement. That, however, did not stop the Liberals from announcing a \$3-billion Homes Now program with projected operating subsidy of \$300 million.

I do not want to go into Mr Thom's recommendation, but I think most members will agree that Mr Thom is one of the most foremost experts in the country on rent issues. For that reason, I moved a motion that we invite him to appear before us. I must say it is a rather sad commentary that this government did not even think of inviting Mr Thom, and Mr Thom told our committee that his appearance was the first time he had been invited to speak to an Ontario government committee or otherwise. Is that not incredible? Here was this incredibly knowledgeable man and he had never even been asked for his views on a commission that cost the taxpayers of this province over \$3 million.

Mr Thom had much to tell us. He went into several issues that I would like to review with members. Specifically he talked about the problems that the tenants were having. He said:

"When the first volume of the report came out, it was received rather coolly by the landlords. They felt that I had given too much leeway to the tenant criticisms of the then-prevailing rent regulation system....When we entered into the second phase to consider the future of rent regulation, for reasons which escaped me then and still escape me, the tenants were of the opinion that they could not expect from me—I have to say here I guess—an unbiased attitude on their problems....I am of the opinion that the market is the basic mode of operation in this business, but as you will have seen from reports, the recommendations of which you have before you, it was recommended in volume I that there would be a rent regulation, rent control system that was even more stringent than the present system because there would be no pass-through, no cost pass-through."



These remarks were just ignored by the committee, and of course the committee is controlled by the NDP. He went on to talk about probably one of the most serious concerns at our party has with respect to this whole process, the whole process of Bill 4, the whole process of the green paper, the whole process of the potential permanent legislation, and that is that the whole relationship between the landlord and the tenant is adversarial. I mean, you have got the tenants on one side versus the landlords on the other, a most inappropriate way to approach a very serious social problem. Mr Thom addressed that issue in his comments to our committee. He said, and I am quoting from anansard:

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"I would like to make another general comment—at least, landlord and tenant relationships are almost by their nature—tend to be adversarial....The tenants like what the landlord does, the landlord likes what the tenant does, and now they treat his building, her building, but there is a basic sort of adversarial feature to the rent, landlord and tenant relationship....This rent regulation system in Ontario...was specifically denied and still is, that the landlord and the tenant could negotiate the rents that should be paid and collected. Now, I think that was unfortunate. It was one of the reasons, one of the underlying thinkings behind the act of 1975. It is still there. In Quebec, if you have the opportunity to give further attention to their operation, it is possible to negotiate a rent relationship, a rental amount, and I think it has many virtues, because it does not then exacerbate what is, tends to be a difficult relationship."

Now, this is a reasonable thought for the committee to deal with, but we never were allowed to deal with it. It was all over. The NDP determined to ram this thing through without allowing us to review the thoughts of Mr Thom. We certainly did not deal in committee with how to remove this adversarial system. Mr Thom continued by saying:

"It was brought home during the course of the commission hearings, unfortunately all too often. The tenants regarded the landlords as fat, bloated capitalists, and the landlords regarded tenants too often—I say too often, I have not—I am not trying to suggest—it is just too often to be comfortable—as careless, thoughtless people who had no thought for the fact that they were living in someone else's property, which is a fact, and it resulted in bad feelings with—made it very difficult to bring about a relationship that could—lead to good results. However, that is another factor that has to be considered."

Now from the moment that this legislation was introduced, the moment that Bill 4 was introduced, the minister has continued to develop this adversarial system. He has stated in Windsor that he does not represent the landlords, and now they appear to be giving him an allergy. They must be giving him an itch. It is a most unfortunate position for a government minister to take.

The government, I believe, should treat everyone the same. It should treat the landlords the same as the tenants. It should realize that there is a social problem, and that is what our party has been trying to do. We have been trying to look at the overall social problem that has been caused and how to deal with it, but the minister continues to fur-

ther that adversarial system even in our hearings, even in the hearings of our committee.

Mr Thom went on to say:

"The main reason—not the main reason, but one of the key reasons for the difficulty you are having in trying to devise appropriate rules and regulations: landlords come in all sizes and shapes. There is the mom and pop operation. There is the single home owner who puts a couple of rental units in his house. That is very important to him. There is the larger—smaller corporation who has perhaps two or three dozen or so in units. Then there is the big monster corporation. They all have one common factor. Now, this is what is basically where the market comes into the picture, into play, that they have to put into it—and they now are this range of landlords—a very substantial personal investment and they borrowed a lot of money which they have to pay back. The mortgage companies have no qualms about collecting their money on the dot and according to the contract. And interest rates have been high, as you know, all over. The landlords all have to meet a very substantial cost and they hope to get in return something, some return on their equity."

That issue really was not dealt with by the committee. In fact, it was really ignored. I think the other issue that Mr Thom raised was the fact that this is a very complicated issue. It was suggested by our party that perhaps an economist should come to the committee and reveal his or her thoughts as to this very serious social problem, and Mr Thom agreed with that. He said:

"Now, to understand return on equity is a matter I am not going to go into this evening. It is economics. The economic theory and principles of rental housing is a complicated one. It is worth, perhaps, you might think, to understand what you are trying to do and handle this difficult social problem, to have an economist come to you and describe and discuss with you the economics of rental housing as the market operates. And not very many people understand it fully. I certainly did not, and I am not even sure I fully comprehend it."

That is an admission from a very knowledgeable man, a man who spent many, many hours on this whole problem, and he is saying we should have an economist come and deal with this very issue, but the committee did not deal with it. I believe that before the committee reports back to this House an economist should come and talk to the committee as to the whole economics of the system.

There is nothing, in my view, that would encourage the landlords that they are getting their fair return. That issue was emphasized by Mr Thom. I would like just to briefly talk about that, and that was dealt with by some of the people who came to our committee. He says:

"But it is not one of the basic factors of rental housing, that if you want private money in rental housing you have to some time or other give landlords, investors—call them investors rather than landlords at the moment—a feeling they are going to get a fair return. Now, it is evident that they do not think today that they are getting a fair return. I am not going to report—repeat, I mean—some of the evidence that has been given to you by such persons as Julius Melnitzer and Jonathan Krehm, just to name two who



appeared before you last month. The landlord community do not think they are getting a fair return on their investment, which is very substantial. You have to have a very large capital investment to get a \$5-million income—gross income—per annum: up in the billions. And if you do not have that attitude of mind, that feeling of comfort, on the part of the landlords they are not going to stay in the industry.”

I think that is the most serious issue that this committee really did not come to grips with.

I think it is becoming quite clear what the intent of the government is, and that is to make housing a public utility. Mr Thom spent some time on that and, to refer briefly to some thoughts he had on that, he said:

“Who is going to finance the costs of building, renewing, maintaining the rental units which are necessary to house the rental population of Ontario? It is an extraordinarily large sum of money—and now I am going to perhaps step outside the range of my proper interest. This province, this country, has not got the money just to throw at rental housing without the support and input of private landlords.

“If you want to make rental housing a public utility, go ahead. Make it a public utility like Hydro. It will cost billions and billions of dollars. I simply do not think it can be done. I express now a personal opinion, but I think it is a fair one, that it is virtually important to the financial welfare of this province, let alone the welfare of the housing industry, that there can be a very substantial input of private funds.”

That is the problem with the whole legislation. It has a grave effect on the overall economic picture of this province, the jobs that are being lost, the contracts that are being lost and the deterioration of the quality of life of the tenants.

One of the issues that we got into on this side of the House, as far as representation on the committee was concerned, was that of economic eviction. Mr Thom dealt with that subject and I would like to refer to that, because there was a proposal put forward, an amendment to the proceedings, but it was completely ignored by the government side of the committee.

Mr Thom said:

“That is one of the basic features of the problem before you: that private money is essential. If private money is going to stay in and come in in the amounts required, it has to have some expectation of return.... About a third of the tenants’ households in Ontario are poor. That is not the word that is very popular—you can use ‘economically disadvantaged,’ but they are poor. They cannot afford from their own resources—incomes, whatever they have, jobs—the rents required to pay economic rents to private landlords. That is one of the facts of life. It has been a fact of life, is, and will continue to be until there is some way of organizing the economic community in which we live.”

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I think that is the great hypocrisy of the whole issue. This government says that it is interested in the tenants of this province, that that is the whole reason of its legislation, and yet 30% of the people of this province who are

tenants cannot afford the very rents that are being paid. But this government does not care about them; it does not care at all. Bill 4 clearly favours none of those tenants. It favours the rich, which is rather ironic, considering the comments that have been made by the Minister of Housing.

Mr Thom says that: “At the other end of the scale—of say, 10%. These figures are not established anywhere, but they are a fair estimate. You can have different thoughts. You can go up or down a few percentage points either way. About 10% of the tenant population are quite well-to-do. They want to rent because, well, they are older people who do not want to have the bother and hassle of a house. They are what they call empty-nesters, or were. They would rather be able to travel off to Florida in the winter. They just like renting. They do not want the bother of looking after a house. Rent is no problem to them. They can pay rents of \$1,500, \$2,000 a month; it is perhaps 10%, 12% of their income. Fine.”

Of course, the committee did not deal with that. In fact it was completely ignored as to the fact that this legislation freezes the rents of the rich, and I therefore again emphasize that the motion to bring back this matter to the House is premature because the committee has not properly dealt with it.

Mr Thom says:

“It has never been clear to me why tenants who cannot afford to pay economic rents with no problem should have the protection of rent control.

“I can give you what I believe was the thinking on the part of some tenants’ spokesmen. I think they were misguided. They did not come before us in the second session to explain their thinking, some feeling that unless the totality of the rent regulation system was applied to all tenants, rich and poor, that in some way the landlords would have some kind of unfair advantage. I do not quite know what is. I cannot explain it to you. I think it was a mistake to exclude the rich, the well-to-do—to exempt them, I should say, from rent control.”

So the committee did not deal with that, even though Mr Thom presented these thoughts and he spent a great deal of time, of the taxpayers’ money, coming to those conclusions.

The final point I would like to refer to that Mr Thom referred to is he dealt with the subject of the very complicated legislation that this province has gradually been building over the years, and this committee did not deal with that issue, even though it certainly had an opportunity to do so, and in fact it has created even more complicated legislation.

Mr Thom says:

“The rent review legislation, and I speak as a person who at one time was involved in income tax, is one of the most complicated and difficult pieces of legislation and regulation that you can well expect. You have heard that from tenants and you have heard that from landlords. I do not think any regulatory system that has got itself in the condition can be considered to be a good system, and the minister, in his discussion paper, very properly points out that he is going to make an effort to devise in some way a regulatory system that will be simpler.



"Here I again become very personal: I think he is going to fail. I do not think that as long as you try to impose a post-pass-through system you are going to get anything but more and more complicated legislation for the very reason that landlords who think they have to get more rents than they would otherwise get under the controlled levels are going to think of ways for increasing the benefits they want to get and think they have to get.

"It is just human nature. It is going to be what happens. It is like the income tax, which is now an enormously complicated statute because people seek to get the advantages, the benefits, the concessions from their payment of income tax. It is one of the features of control or, in this case, in the case of income tax, of a tax levy. Your regulatory system is going to become increasingly complicated. I do not need to produce witnesses in that regard; it has become increasingly complicated. Some of you may have had the opportunity to look at the volume of regulations in the statute. It is an unhappy situation. It makes everybody in the industry unhappy. It results in a very large bureaucracy of a very well intentioned, hardworking, intelligent people who might much better be employed perhaps in some other form of activity."

That was a very valid point raised by Mr Thom and the committee, in its wisdom, with the NDP control of the votes, chose not to deal with that issue as well.

If I could make just one final comment with respect to Mr Thom, that is that he asked the question as to what rent control has done for the tenants, because that, of course, is the foundation of the premise of the Minister of Housing, that it does a great deal for the tenants. He says:

"Which brings me, of course, to the very important point of what has rent control done for tenants apart from reducing the amount of rent they have to pay in total. A good thing perhaps. It is nice that they do not have to pay so much rent, I am sure. They can spend it on something else, and we all like to spend money on something else if we have it, but what has happened to their housing milieu is that there is no vacancy rate.... It used to be that if a tenant was not getting the kind of service, was not living at the kind of building he thought he should have for the rent he was paying, he could go down the street and there would be a vacancy available where he could make a deal with the landlord and get better accommodation. The absence of the vacancy rate, and that was brought home to you by the deputy minister last month, has been a very severe detriment to the tenants. On top of which they have suffered loss of services and poorer accommodation. Mind you, they pay less rent but they have not had compensating benefits. In fact, it is a nice question that I have got to answer to, where the balance lies, whether they really benefit, in net, by rent regulation. I am not talking about that middle range of tenants who cannot afford the high rents. By the way, there are lots of vacancies in the high rental market. They get lots of looked after; the landlords are begging them to rent."

That issue was not dealt with by the committee.

I would like to conclude by saying that our consideration of Bill 4 has been marked by frustration. We were all expected to do a job, and I really wonder whether even the

government members of this committee can honestly say that they gave proper consideration to the over 200 written and oral submissions that we received. I submit that we did not, and I repeat that point, plus the very fact that the committee has not completed its mandate. It has not dealt with the green paper, as has been requested by this Legislature. It is only a partial report back to this House and the Minister of Housing is interfering with the committee's process and in fact is now holding in some cases secret meetings and in other cases meetings in which no one is allowed to speak. I think that that process must be stopped and that the committee must be allowed to continue on with its job and deal with the terms of reference of this Legislature.

Finally, of course, I think that the committee should be allowed to listen to the many people who have tried to speak to us, who have tried to make representation to us and have been denied that access by this government.

Those are my comments, and I would hope that the members of this House would consider them. I think that the motion is premature.

1550

**The Acting Speaker (Ms Haslam):** Pursuant to standing order 33, the member for Ottawa-Rideau has given notice of her dissatisfaction with the answer to her question given by the Minister of Revenue concerning a meeting on Metro market value assessment. This matter will be debated at 6 pm.

Further debate?

**Ms Poole:** I am pleased to stand on behalf of the Liberal caucus and make some very brief comments on Bill 4 and on the committee process that we have just gone through, and I will say that these comments will be brief, because we are quite anxious to get to committee of the whole House and debate the substance of Bill 4.

I would like to take us back to December 1990 when the minister introduced Bill 4 for second reading, which is the reading in principle. At that time the minister said that the intent of this bill was to provide tenant protection and a period of rental stability while the government was looking for long-term solutions in the rental areas. He also said the purpose of the bill was to limit outrageous rent increases, to stop luxury renovations and put an end to flipping.

We in the Liberal caucus are very sympathetic with those intents and we supported Bill 4 on second reading because of the fact that we believe in tenant protection and because we felt that, although there were serious flaws in the bill, they could be corrected in the committee process.

I would like to address briefly some of those serious flaws which we as the Liberal caucus felt from the very start the bill contained.

First of all, Bill 4 had absolutely no provision for capital repairs. Major repairs and renovations are crucial to our aging housing stock, and certainly in committee hearings members heard over and over again about how our stock is aging and how we have to prevent the deterioration of our buildings, but there was no provision in Bill 4 whatsoever. The minister seemed to feel that because Bill 4 was interim



legislation, it was not necessary to have any provision for capital repairs.

But I can tell members that a number of buildings we have in this province, in fact many buildings we have in this province, are in a state of jeopardy right now where the health and safety of the tenants is in doubt and where the structural integrity of the building is certainly in a state where it needs drastic work done to it, but there was no provision for major capital repairs.

The second doubt that we had about Bill 4 was that there was no provision for maintenance and for securing maintenance for tenants. Certainly as a member with a large number of tenants in my riding, I can tell members that time and time again maintenance rivals rent increases as the number one issue. In fact, I think in many instances it overtakes rent increases as the number one issue; but again, no provision in Bill 4.

During the committee hearings, tenant group after tenant group came before us and said that the provisions in rent review regarding maintenance were inadequate, the provisions in the Landlord and Tenant Act. When I said to these tenants, "If we could say to you we will not delay the passage of Bill 4 by one day by providing clauses to increase and enhance the maintenance for tenants, would you like them in?" they said, "Absolutely." But this Bill 4 has no provision for securing maintenance for tenants.

The third item which gave the Liberal Party great concern was the retroactivity of the bill, where the rules changed halfway through the game and we heard many small landlords who would actually be forced into bankruptcy because they had done, in good faith, the repair work in their building. They had secured a loan from the bank in order to achieve these repairs and now were being told retroactively that they could not be reimbursed in any way.

These were the three major areas in which the Liberal Party was looking for amendments to this bill, and I will tell members that on the first day of hearings in the committee hearings, I said to the minister, "The Liberal caucus will have great difficulty supporting this bill on third reading unless there are substantive amendments made to it," and in all good faith, the Liberal caucus put forward amendments.

I would just like to tell the members about some of these amendments, and I think they will agree that they are very reasonable and that they would enhance tenant protection and that there is absolutely no reason why they could not be included in Bill 4.

First of all, we propose that capital expenditures be allowed with cost pass-through if they are necessary to ensure the structural soundness of the building or the health or safety of the tenants; or, on the other hand, if the tenants supported the work that was to be done by having two thirds of the tenants in the building agree to the work.

There were further tenant protections attached to this. The rent increases for such major repairs would be capped at 5% above the guideline. Costs could not be passed on if the work was necessitated by the fact that the landlord had engaged in ongoing and deliberate neglect which had caused the work to be done, and the quality of the work

would be considered when determining the amount of the increase. These are all tenant protection measures which think many tenants would be very happy with, but the government members in committee rejected this amendment.

A second amendment which we introduced which we felt would have been very helpful in addressing the main tenance problem would be that the tenants would have the right to withhold the guideline rent increase if a landlord fails to comply with municipal work orders. To do this, we proposed broadening the powers of the Residential Rental Standards Board, again a very reasonable amendment, very workable amendment, and yet the government rejected it.

A third tenant protection that we had suggested was cost-no-longer-borne provision so that, for instance, once fridge and stove had been paid for through the rent increases over the years, the tenant would be entitled to reduce his or her rent by the amount that he had been required to pay for those appliances. Again, the government rejected this very reasonable and very tenant-protective measure.

The government did adopt several of our amendments. I would not say they went to the heart and soul of the amendments. They adopted one where the increase in municipal taxes could not be passed on to tenants if the work was necessitated by a work order where the landlord had failed to comply, the municipality had gone in and done the work and then put a levy, a charge on the taxes. There was one amendment that the government did accept from the Liberal Party. Second, the government did accept an amendment regarding conditional orders where people who had in effect gotten a guarantee from rent review before getting the work done could be reimbursed for at least part of that work.

The final amendment which we introduced would have dealt with the devastating effect of the retroactivity in the bill and yet provided for a very ample period of rent stability.

As the members can see, these amendments were reasonable, they were not radical, they were not meant to embarrass the government, they were meant for the sole purpose of providing additional protection and measure of fairness in this bill; and yet they were rejected.

As I said, the minister has been put on notice that if he is not to accept our amendments, the Liberal Party would find it difficult to support this bill on third reading. I will tell the members right now that the minister has virtually guaranteed that it is impossible for our caucus to support this bill on third reading.

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However, there is one more chance. This bill is now going to committee of the whole House. The minister and all members of this House will have a chance to reflect upon these reasonable amendments and perhaps we can reach a compromise where we have tenant protection and where we have balance and fairness in the bill. That is what we as members of this House should be seeking.

So Madam Minister—Madam Speaker, sorry. I assure you would not object to the promotion, or maybe, the



ay things are going these days, you would. I would just e to reiterate that I hope that when we do go to commit- e of the whole House all members will very seriously flect on what this bill does and does not do and what it ould do, and that they will then, as members of this egislature, give their support to these very reasonable endments and make it possible for our caucus to give pport to Bill 4 on third reading.

**Mr J. Wilson:** I appreciate the opportunity to speak the report dealing with Bill 4 today. After weeks of scussion and committee hearings on Bill 4, an act to opose rent controls, it greatly disturbs me that we are no oser to arriving at a mutually agreeable solution, a solu- on that needs to represent the interests and wellbeing of Ontarians, not just a select few.

I have stood before this House on previous occasions d stated that responsible government can only be gov- nment that represents the interests of everyone in On- io. But the rhetoric continues from the NDP government d effective legislation is sacrificed on the altar of paying ck a political debt.

How can the interests of all Ontarians be represented hen the Minister of Housing, the quarterback of this ee of legislation, admits that he is "allergic to land- rds"? How can the interests of all Ontarians be repre- nted when the minister makes a remark such as this? The inister's remark surely indicates that he has not been ening throughout all of the weeks to the legitimate con- rns raised by landlords during the countless hours of ommittee hearings and during the numerous attempts ade by my colleagues in the Progressive Conservative ucus to awaken the government to the fallacies of its ortsighted rent control legislation and through the glut of edia reports that suggest that the government is acting wwisely. I would have thought that with this overnment's sensitivity to the media, it would read and ten more attentively to the editorial comments made ver the last five months.

A quote from the London Free Press of November 90: "Tightening rent controls would only make a bad uation worse."

A quote from the Windsor Star on 31 December 1990: Landlords don't build rental units out of the goodness of eir hearts simply because they have an altruistic need to e that all people have decent shelter and a nice place to ve. They build rental units to make money and the day a ndlord stops being profitable is the day private sector vestment flies out the window."

The Ottawa Citizen of 5 December 1990: "Bankrupt- g landlords who were already in the midst of repairs, ong with tradesmen who won't get paid, is no way to pprove the supply of rental housing in the province."

From the Financial Post of 11 July 1990: "The Ontario perience with rent regulation since 1975 confirms what onomists have always argued, that rent controls cannot e justified on either equity or efficiency considerations. ent control is a poor way to redistribute income. Rent ontrol does transfer money from landlord to tenants, but a rge share of those transfers have gone to tenants who are ot low-income householders. In fact, rent controls are

generally more beneficial to more sophisticated tenants with stable incomes. Rent regulation tends to redistribute from those tenant households who most need assistance to those who least need it."

The Hamilton Spectator on 5 December 1990: "A rigid approach to improvement costs will benefit no one, first and foremost tenants, if it means major necessary repairs to roofs, windows, plumbing, balconies, parking lots and underground parking garages will be postponed for two years. If major repairs aren't undertaken, there is a real risk that Ontario will see more run-down, unsafe and slum apartments. Patchwork repairs are penny wise but pound foolish."

From the Peterborough Examiner of 1 December 1990: "It's a safe bet that the NDP will continue with some form of rent controls with a view to aiding low-income renters like senior citizens who may pay as much as half of their income for housing. The problem is that they have so far done little to ease the critical shortage of housing that low-income families can afford. It will take nothing less than an overhaul of all aspects of housing policy to even begin addressing that goal."

From the Kitchener-Waterloo Record of 30 November 1990: "Rent controls on private dwellings have been enforced in Ontario for 15 years, yet few of those advocating their continuation have examined the consequences of rent restrictions on those they purport to represent. Indeed, this week's freeze has been greeted as a victory for the poor. The reality is otherwise. One might have expected Ontario's new NDP government to address affordable housing in a fresh manner, yet Housing minister David Cooke chose the easy option of stiffer rent controls. He goes further in wiping out 1,300 rent reviews."

I quote from the New York Times of 2 January of this year: "To most economists, rent control is the poisoned apple, a seductive idea that undermines the symbiosis between free people and free market. Rent is the largest item in the budgets of most people. Thus in a city of renters, rent control is bound to be popular. No one, after all, wants to pay more than they must for housing and hardly anyone thinks it is fair to ask people to move just because others are willing and able to pay more to live in their homes. The catch, which New Yorkers have been slower to accept than Poles or Nicaraguans, is that prices determined by government, rather than by supply and demand, are bound to distort economic incentives and erode productivity, and when the controls affect a big-ticket item like housing for a very long time, the damage is likely to be serious." And that is the end of the quote from the New York Times of January.

The NDP Minister of Housing tells us he is allergic to landlords because they are not permitting him to take the easy way out and because they resent his heavy-handed, shortsighted legislation. I wonder whether the minister is also allergic to editorial writers and columnists who can understand the potential for devastation that his rent control legislation brings with it. I would contend that the minister and the NDP government are simply allergic to dissenting opinions, the same dissenting opinions that are the bedrock of our free and democratic society.



It troubles me that this duly elected government is unwilling to heed the cries of landlords and construction workers, who stand to lose substantially from this proposed legislation.

A constituent of mine from Tottenham has watched helplessly as his dream to create an apartment building in the south end of my riding has been soured by this hasty and far-reaching legislation. Tottenham needs more rental stock, but Bill 4 has sabotaged the developer's plans. Banks will not finance my constituent's plans because Bill 4 makes this project a high-risk proposal. The minister's allergy has resulted in 44 less apartment units in my riding, in the village of Tottenham, and has left one individual financially devastated.

But then there is Red Whitehead, a landlord in Collingwood. It is difficult for Red Whitehead, who owns an apartment building on Second Street in Collingwood, to swallow that his newly acquired financial handicap is a direct result of this minister's and this government's allergic reaction to landlords. Responsible government is not about class warfare or disdain for a segment of the population. It is about fairness, representativeness and legislation for the benefit of the whole of society. In the last six years, Mr Whitehead has sunk over \$300,000 into his building and his gross return on this sizeable investment has been \$3,300.

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It is difficult for me to buy into the NDP rhetoric that insists that all landlords are exploiting tenants. After numerous phone calls and letters to my office, and after travelling for a week with the legislative committee examining Bill 4, I realized that what has happened to Red Whitehead and other landlords across the province is not an exception, but the norm. I am particularly reminded of the day we spent in Sudbury and, I as a member of the committee and all members of the all-party committee saw one after another, landlords from the Sudbury area, many of whom in the introduction to their remarks to the committee—and some brought cancelled cheques of donations they had made to the NDP to prove that they were NDP supporters and many in no uncertain terms made it clear that they will no longer be supporting the NDP government if it continues with this draconian legislation in the form of Bill 4.

I would have hoped that the minister would have withdrawn his legislation at this point, had listened to the constituents in the north, for instance, who appeared before the committee and made a very good case about the draconian effects of Bill 4. How is Mr Whitehead of my riding supposed to recoup the \$50,000 in repairs he recently laid out to upgrade his building? Landlords make convenient scapegoats for a government bankrupt of fresh ideas. Rent controls do not represent the road to Utopia that the NDP so faithfully promised the voters in the last election.

Let's defrock the illusion that the Minister of Housing has consulted widely on this legislation. The public hearings have been a sham. If input was sincerely requested, then my friend the member for Oriole, who also has to respond to the letters and phone calls from her constituents on this issue, would not have been barred from the proceedings. How well is representative, responsive govern-

ment served when the duly elected members are shut out, censored and embarrassed by this government?

There is a fundamental inconsistency in the moral tone that pervades the Office of the Premier and the decision making corridors here at Queen's Park. I felt enormous frustration and empathy as I cradled the telephone and listened to an apartment owner in Collingwood tell me the everything which he had fought so hard for through so many years to acquire had been put in jeopardy because of the Minister of Housing's allergic reaction to landlords.

Another reason why I do not support the introduction of the committee report on Bill 4 today is that the committee hearings have been, for the most part, an exercise in partisanship. They have lacked the tone of constructiveness and representativeness needed to deal sincerely with this important piece of legislation.

I cannot support the introduction of the committee report because it is my belief that this government is driven more by rhetoric and ideology than by any sincere attempt to resolve the rental problem in this province. On 22 January the Minister of Housing announced a \$35-million housing package designed to stimulate employment and improve Ontario's housing supply. This announcement was proof positive that the minister realized how inappropriate and shortsighted his proposed legislation is. Now the minister is asking Ontario taxpayers to foot the bill for his myopia. Taxpayers are now being asked to subsidize rental units for people whose rents are only 10% to 15% of the income. Why should we the taxpayers of Ontario be paying for individuals such as the new Minister of Consumer and Commercial Relations, who is living in a co-op housing unit in Toronto, while those people who are genuinely suffering go without affordable housing? At times I wonder whether the new government has more than just an allergy and more than just an ideological interest in rent controls and the socialized housing system which they wish to foster.

By the same token, what do I say to the woman in Tottenham who has been waiting for three years to be accepted into a subsidized rental unit? What I am forced to tell her is that this government has lost touch with reality. Its proposed solutions talk the talk, but they will not assist those most in need. I am a relative newcomer to the House, but it does not take much to realize that this is just plain bad legislation. We are at a critical juncture with respect to our rental housing stock in this province. All that Bill 4 will do is collapse any present or future investment in rental housing, and even if they wanted to, apartment owners could not build new apartments because financial institutions are frightened by the retroactivity clause in Bill 4. Financial institutions understand the far-reaching nature of this legislation. They comprehend fully the profound impact it will have in the rental market and how it will hamstring apartment owners to make do on their loans.

This government is not listening because its mind has been predetermined. The Minister of Housing has already told us that he is allergic to landlords. I know that allergies are not contagious, but it appears to me as though the Premier displayed similar symptoms during 1989 when he told the Tenants' Bulletin: "You make it less profitable for



people to own it. I would bring in a very rigid, tough system of rent review. Simple. Eliminate the exceptions and loopholes. There will be a huge squawk from the speculative community and you say to them, 'If you're unhappy, we'll buy you out.'"

This is not some isolated cough or snuffle. It is a deep allergic reaction to the free-enterprise system and to landlords in general by this, the NDP government of Ontario.

It is also symptomatic of an ailment which has created a sickness that the government is trying to introduce under the heading of Bill 4. Madam Speaker, I suggest to you and to this House that the ailment is an unwillingness to listen and a destructive belief in the correctness of their cause, no matter how often and how defunct its virtue. The record of the government's failure to listen is well documented. If they were listening, how come they failed to listen to the submission made by the Ontario Home Builders' Association? Here is a quote from that submission, which I feel undermines the whole ideological premise of rent controls:

"Rent controls remove the incentive to move up by keeping rents artificially low when compared to house prices. The disincentives to move up were reinforced during the recent economic boom by a housing market with few moderate-cost housing options. The only windfall of rent controls falls therefore to higher-income people, whose rents take up a disproportionately small portion of their income. The standing committee has already heard that 43% of tenants pay less than 20% of their income towards their rental housing costs, and more than three quarters of those tenants earning more than \$45,000 per year spend less than 20% of their income on rent. As one developer has put it, 'We have got plenty of low-income housing; we have just got upper-income people living in it.' That is the end of the quote from the submission by the Ontario Home Builders' Association. I would suggest that the NDP's system of rent controls is beneficial only to lower-income people.

I also find it interesting that my friends on the other side of this Legislature are diligent in their attacks on the federal government when layoffs occur or interest rates rise. They blame federal policies for the recession we are in. How convenient for them. But then again, this government is unconcerned with the facts. It is more concerned with finding scapegoats and articulating rhetoric. I wonder if the NDP government will blame the federal government for all the construction jobs and tradespeople who are out of work because of the introduction of Bill 4. I wonder if the Premier will be singing Solidarity Forever when angry tradespeople, construction workers and landlords come knocking if Bill 4 is allowed to pass.

This legislation is riddled with faults. I do not believe that there should be retroactive provisions in this bill. It is fundamentally unjust to implement retroactivity when individuals have bankrolled their futures on the basis of the current system of rent review that is in place. Without warning or assistance, this government initiated a two-year moratorium on rent increase dating back, it says, to 1 October of last year, but the true date, as we know, is 1

July, because it takes three months for a rent review application to be processed.

Capital expenditures are not an underhanded means to exploit tenants. They are crucial to the proper maintenance of our supply of rental stock. They also ensure that rental units are not turned into slums and ghettos, and this is a situation that cannot be allowed to occur in the province of Ontario.

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Solving the rental problem must be a priority of this government. We all agree on that. But we have to create a climate for future private-sector investment. We need to put tradespeople and labourers back to work. Perhaps most of all, we have to send out a message that the people in power here at Queen's Park are prepared to listen and they are willing to govern with the interests of all Ontarians in mind. This cannot be accomplished with ministers in government who admit that they are allergic to certain segments of our society, namely, landlords and private-sector investors.

I cannot support the tabling of this report that has been flawed from the outset and has its contents grounded in a fundamental indifference to representing the best interests of all the people of Ontario.

**Mr Turnbull:** When the honourable Minister of Housing came before our committee to introduce this bill and explain why it was necessary, he listed in his speech a number of instances where tenants had been hit with rent increases of over 100%. He very carefully read out five addresses and the percentage amount of increase each had received. Well, if these units are the reason why we are now faced with this legislation, I think it will be the first time in the history of this Legislature that a total of 24 units would have dictated such extensive government policy, policy that will affect millions of units and tenants across this province of ours.

The buildings in Kingston that the minister refers to involve two units, the one in Timmins again two units. When you have two-unit buildings that need a new roof, it is very difficult to spread the cost. He said that the building in Kingston had a 224% increase. Yes, but as I said, it is two units. The building in Warkworth, with a 192.14% increase, had eight units; the one in Ottawa, 188.98%, had six units; the building in Timmins, 176.54%, two units again; Cambridge, Ontario, 155.8%, six units.

There was no impact study done. I remember that our own Housing critic asked for an impact study and the minister said yes, he could get that. Then later on when we got to the committee stage, he waffled and suddenly there was not any impact study done.

Let's examine one example of a building that received a large increase. A typical example of the type of situation generating a very large increase is the case of Mrs B. Carpenter's 14-unit building in Sudbury. Formerly owned by the municipality, this 75-year-old structure was desperately in need of major improvements, including a new roof, modern plumbing and new flooring to replace wood so rotten the ground showed through in several places.



The owner had recently borrowed money to complete this work and filed for the rent increase to which she was entitled, some 150%. This is the type of situation where you would automatically cry, "Economic eviction," yet the new rents after the increase would have reached the staggering level of \$400 per month, still at least \$100 below market levels.

It should be noted that despite the fact that every bit of work which Mrs Carpenter completed was badly needed, that she had preserved 14 apartments which were otherwise quickly approaching the point of becoming uninhabitable and that both the city and the tenants supported the work and the resulting increases, Bill 4 will prevent the owner from recovering the money she has spent.

Clearly, it is ludicrous to attack large rent increases without considering the rent level to which they are being applied. Over and over again during these hearings we spoke to people and we asked on what base rent were they talking about large increases. When you have a base rent of \$50 a month, a 100% increase sounds significant, but it is still awfully affordable accommodation.

I welcomed the public hearings as an opportunity to examine both the realities of the rental situation in Ontario and the fairness and efficiency of the government's proposed legislation. While I agree the present system is not working properly, the problems are not as severe as this government has indicated, as 86% of tenants in our province received rent increases of less than 5% in the last two years. Less than 1% had increases of more than 30%, and only 0.07%, or 84 units out of 1.2 million, had an increase of 100% or more that the Minister of Housing would have us believe are common.

So we have the Minister of Housing coming to present a major piece of legislation that is based on the false premise that tenants must be protected from massive rent hikes. To quote the minister's own words, "The system has failed to protect tenants from high rent increases." I say that when only 84 units out of 1.2 million need protection, then surely the honourable minister could have found a simpler, less destructive method to do this, if he had wanted to of course. Instead the government introduced an unreasonable and confrontational bill, backed by an overt campaign to misrepresent landlords as little better than criminals and all tenants as deserving social services.

Why? Is there a hidden message? Let's listen to what the Premier's own words were in an interview with Michael Melling, former president of the Federation of Metro Toronto Tenants' Associations. The Premier said, "You make it less profitable for people to own," meaning private rental stock. "I would bring in a very rigid, tough system of rent review, simple. There would be a huge squawk from the speculative community, and you would say to them, 'If you're unhappy, we will buy you out.'"

I have to say that many of the landlords who came before the committee said they were very happy to be bought out, but this government does not seem to be able to come forward on that promise now. So now the truth is here. This legislation is not about solving a problem with old legislation. This bill is to further a government philosophy against the private ownership of rental units.

When my fellow Conservative and I on the committee came to realize the real reason behind the legislation, the votes by the government members on the committee were understandable. Suddenly it made sense why they refused to let all the public that wanted to speak be heard, why they refused to accept amendments that were helpful to tenants and why they refused to allow common sense as a reason to dictate their vote.

This is my first term in office, but for years I have watched the NDP in opposition demand that the government of the day be open and respectful of the people. When the minister came before our committee, he stated, "During this time we plan intensive consultation with the public. This issue deserves public input."

Perhaps I am naïve about the workings of government, but I thought that meant we would hear everyone affected by the legislation, everyone who felt strongly enough about the effect of Bill 4 would have on them and wanted to spend the time required to write a brief and to come and present it to our committee. I considered it a common courtesy to the people of Ontario that I, as a member of the House, would make myself available to all they had to say. Certainly all five committee members from the opposition were willing and indeed wanted to spend all the time necessary for this to occur.

The government showed its true colours the day of the vote. The message was loud and clear: Listening to the people was less important than their agenda. Do members remember the agenda for power? The vote was six government members versus five opposition members against the basic principle that when public hearings were held, everyone is welcome. One hundred and fifty groups of individuals, companies, tenants' groups who wanted to speak were left out in the cold. One hundred and fifty citizens lost their right to have their government listen to them at public hearings.

This, as you say, is democracy, open government at its best. To make matters worse the government tried to fool the public by placing huge ads in newspapers inviting participants. They failed to tell them that the day the ads appeared the spots were already filled. This is double dealing and manipulation at its worst. There were definitely two groups of people: those allowed to speak, mostly tenants, and those barred from speaking, mostly landlords.

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Conservatives tried to co-operate; interested in serving the people, we wanted to hear the whole story. We heard from landlords that the financial institutions would not lend them money to carry out renovations. We wanted to hear from the financial industry. We put forward a motion to have a witness or someone from the Trust Companies Association of Canada, but the government members defeated this motion. Why? What are they afraid we might have heard?

It is disgraceful that 150 groups could not be heard and witnesses important for the whole picture were denied the right to come. There was not any hurry if you have given retroactive legislation. Perhaps the government was being embarrassed by the testimony. We would like this House



id this back to the committee to finish our hearings on s. Public hearings for a select group are a sham.

Tenants want well-maintained buildings. Some even nt luxuries, believe it or not, that home owners enjoy, e microwaves that are energy-efficient, energy-efficient ndows, new appliances and Jacuzzis.

**Mr Mammoliti:** They don't want to be charged.

**Mr Turnbull:** Yes, as one of my colleagues from oss the bench at the NDP says so correctly, maybe they not want to be charged. We heard testimony from many the tenants' groups that they did not mind being arged. That is precisely it. The members were not listen- to what the depositions were. They were saying they re prepared to pay for it. We had a long petition from a ants' group in London that said they thought what the vernment was doing was totally unfair, but the members not want to listen. Why should they not have the right hey are willing to pay for them? Big Brotherism at its rst.

Let's hear what one tenants' group had to say. This sentation is a petition which was put together to send to Premier:

"We, the undersigned, are tenants of a 56-unit apart- nt building at 1000 Huron Street, London, Ontario. Our dlord has continuously strived to give us the good rental commodation at a fair price. Two years ago, when our king lot became congested, our landlord decided to en- ge it for our benefit and at his own expense. We are tited to one parking space per unit according to our se. However, he provided the extra space which we now e for our second vehicles and our visitors' vehicles with- hesitation. We recently had the leaky roof replaced, w carpets installed in all apartments, new counter tops d taps, new hall carpets and a beautiful new lobby in- lled. All of this work was carried out in a proper legal hion.

"All tenants in our building were agreeable to a 17% rease in rent, which our landlord legitimately applied . We were all given written notification from the Minis- of Housing informing that we had 45 days in which to pute the suggested increase, but we all knew that we d nothing to dispute because every replacement in our ilding had been a necessary replacement. Not one of us ulked.

"We are now led to understand that you, sir, are not ing to grant our landlord his increase in rent, and we ould suggest that you rethink this decision. As tenants we e concerned that (a) our landlord may be forced into ling our building to someone who will not look after us as well as he has done and (b) the level of care and consid- etion which we have received in the past will greatly teriorate because our landlord cannot get a decent return his investment. Your flagrant disregard of our wants d needs leaves us no alternative but to demand that you n your attention away from landlords and tenants, be- use you obviously know nothing about the situation. In rt, don't call us, we'll call you."

That is signed by every tenant in the building. Now, is t not strange that every tenant in the building—and I

would suspect there was a reasonable number of NDP ten- ants in the building—thought that what the government was doing to them was blatantly unfair?

Here is another letter addressed to the clerk of the committee:

"Dear Sirs:

"Re Bill 4, interim rent control legislation: Attached please find a number of our letters addressed to the Minis- ter of Housing which should be of interest to this commit- tee. The Ministry of Housing is unable to advise us if these letters have been forwarded to you. We feel this committee should be made aware of both this landlord's and those tenants' views on the proposed rent control legislation.

"We own and manage over 1,000 rental units in Metro- politan Toronto. During 1990 we undertook a renovation project of three of our buildings containing some 550 units. These three buildings are all between 20 and 25 years old, and rents average about \$480 a month for the one-bedroom apartment, \$550 for the two-bedroom and \$650 for the three-bedroom. The building improvement project just completed included elevator rehabilitation, new appliances, improvements to the heating system as well as common area improvement, dry walling and plumbing work.

"In our opinion as prudent landlords, all the work was necessary to maintain the quality standards and safety of these buildings. In total we spent over \$1.75 million on these buildings in 1990. Under the laws and regulations of the rent review system as it was in effect when we began the work in January 1990 and as it was in effect when we made application for rent increases on 1 September 1990, we anticipated, effective 1 December 1990, an increase in rental revenue of 8% on one building and 10% for another and 16% on the third. These increases were intended to cover not only the capital expenditures of \$1.75 million but also the annual increases in building operating costs.

"It is our understanding that the discussion paper pro- posals for a long-term reform to rent review legislation will be released by the Minister of Housing in mid-Febru- ary. We have also been advised that your committee will be undertaking hearings on that subject. Once we have had an opportunity to review these proposals, we may be request- ing the opportunity to appear before your committee."

Another letter:

"Dear Sir:

"I am a resident in an apartment owned by Schickedanz Brothers Ltd. On 3 December they wrote to you regarding rent review and a moratorium in this matter. No one wants to pay more rent, and I certainly do not. However, in all fairness to my landlord, I believe he is entitled to a rent increase.

Schickedanz Brothers have always endeavoured to maintain their buildings, and as Mr Schickedanz later stated, the buildings are some 25 years old and mainte- nance and improvements are needed to meet present-day safety regulations. I do not want to live in what could become a slum apartment. This is my home, and I want it maintained the way I would maintain a house, and I am willing to pay to have my present residence kept in good repair.



"They have evidently followed all of the rules set forward, and just because a new government came forward into power is no reason that we should be penalized. I certainly hope that in all fairness your government will rescind this legislation."

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Another letter:

"In response to your recent changes that have taken place affecting rent controls, I would like to add my comments on these events for your consideration. Speaking solely as a resident of 50 Ruddington Drive, I have to applaud the government's efforts to revitalize the rent control structure. It appears to me, as a distant observer, that the present system seems to be designed as a zero-sum game: nobody wins, somebody else loses. I believe that change of this structure is critical to the ongoing development and maintenance of rental units in this province. However, I can in no way abide by a decision that takes this structure to its opposite extremes, rather than finding common ground somewhere in the centre.

"Institution of a brand-new set of rules three quarters of the way through a game is not accepted practice in any schoolyard playground, nor should this sort of action be an acceptable method of operation for governments. The inherent unfairness of such action is obvious.

"Our property managers Schickedanz Brothers had made it known over one year ago that pending improvements for elevators and appliances would necessitate a larger-than-average annual increase in 1991 rents. Our opinions were actively sought and the work was completed at the behest of the majority of tenants in favour of this work. Estimates of increases were provided, and I know in my case I had ample opportunity to budget for these increases. Although I am not foolish enough to state that I accept these increases without some grumbling, in the end I believe that the requests were fair and equitable for the work completed to make my home more comfortable. Had these improvements been made in a house, I would surely have had to bear this burden. Simply because this work was done on a large scale by property management, we cannot delude ourselves into believing the costs should be borne by other parties. In the end the property manager must still be in a position to justify continued maintenance of his operation, which happens to be in fact my home. This is, after all, not a charitable organization.

"To have a company follow vigorous control procedures and run the various bureaucratic mazes in order to justify larger-than-normal increases is all well and good, but then to deny those who complete these tasks their end reward is dishonourable. I would like to suggest that you conduct a review of this action with a view towards compensation for those much-needed expenditures. At the same time you might consider the people that are being put out of work when repairs and renovations are not being done on the many apartment buildings in Ontario. With the record unemployment, I would think this would be very high on the priority list of the New Democratic Party. As a middle-aged first-time supporter of the NDP I would like to hope that I have not made a mistake."

Maybe I should repeat that last sentence for any members who—"As a middle-aged first-time supporter of the NDP I would like to hope that I have not made a mistake. I think the light is beginning to dawn.

Another letter:

"Dear David Cooke,

"I have been a tenant for 13 years in an apartment building, 505 Cummer Avenue, North York, owned by Schickedanz Brothers Limited. During that time I have been very pleased with the way this building has been maintained. Some of the things that have been done during my tenure are: rebuilt balconies; extensive repairs to underground parking, residue from ceiling was falling on cars causing damage; new carpets throughout the hallways; new stoves and refrigerators; new plumbing throughout building; elevator renovations; new washers and dryers; extensive drywalling after trying each year to repair deteriorating walls. To suggest that drywalling was done only to cover cracks is ludicrous. It is unfortunate that the work had to be done in my apartment before you had the opportunity to see it for yourself. The wall was falling off in chunks. Grounds are beautifully manicured all times.

"These are just a few of the things that have been done and all were necessary. I am sure you cannot find an apartment in Metropolitan Toronto of equal value, ie, size, accessibility to transportation, cleanliness, speedy repairs when needed, for the cost as low as the rent paid at 505 Cummer. Naturally, I was not happy with the proposed rent increase and I am sure the other tenants felt the same. However, I would prefer the increase to the alternative of a run-down place to live, which I feel will be the result if at least the major expenditures are not being covered by the increase. I have never met the Schickedanz family and am not naïve enough to believe that their main goal is to provide cheap accommodation for people, but I do believe that they have a great deal of pride knowing that they are doing their best to provide a comfortable environment for our tenants.

"It would be more appropriate if you were to crack down on those landlords who are only interested in how much they can gouge the people for. We have heard a large defence go up recently that this government is going to run in a manner that would not only ensure the safety of the citizens of this province but would also encourage corporate confidence and the ability to operate successfully in this province. I cannot believe that alienating a company from the single individual in such a way is the method which to choose to instil these confidences.

"Fairness is, in the end, the true barometer of effective legislation and good government. In this case, rules were laid down and adhered to by both landlord and tenant. One has fulfilled his obligation and justified the rewards he seeks for this work that has already been paid for and completed. A third party has now intervened, seemingly on our behalf, and has legally made it unnecessary to fulfil our part of the obligation. In the short term, a few people may have the satisfaction that they have received something without paying for it. Another party is going to have



bear the entire burden. Do we as tenants truly win?"—  
I think this should truly be asked.

"Maybe now because we are being saved a few dollars, in the long term, what will be our recourse when further changes are invariably necessary? Let us not begin tituting flagrantly unfair policies here and spread them throughout legislation that will be handed down through the mandate of this government. This is not the type of precedent that we would expect from the philosophy behind this sort of government."

The letters go on and on, but it is a rather sickening prospect that they have been ignored, absolutely ignored by NDP members on this committee. A motion to allow tenants this right, the right to have these renovations made—

**Mr Stockwell:** A sense of humour?

**Mr Turnbull:** Yes, I suppose so. The motion that we made to allow tenants the right to have renovations done if they wished and passed through to them in rent was voted down by the NDP. The NDP are so paternalistic that they do not believe that tenants have enough sense to decide for themselves whether they want the repairs. Paternalism is not let tenants have what they want, because the NDP does not think they should have the right.

10

What I have heard, small landlords broke down and died. On more than one occasion the members of this committee saw landlords who were facing bankruptcy and imminent bankruptcy crying. I take no pleasure in seeing anybody cry, be it the tenant or the landlord or the union or employer. I think that we have got to have legislation which is fair to everybody, and this legislation is not fair.

Banks will not loan money. All of the people who have the renovations in buildings go out and borrow money to finance renovations. They have to have substantially completed the renovations before they can go to rent review. They went to the bank, and they went to the bank with the legislation, legislation that was made in this House, Bill 10. Now the banks are saying: "Well, we lent the money temporarily, you have not got your rental increase. We want the money back. It is not permanent financing." People who have got mortgages coming up cannot renew their financing because of the actions of this government. This is not myth, this is a fact.

I put a motion to this committee that I wanted a representative of the trust companies of Canada to come forward and tell us what the position is with respect to the mortgages on these apartments. The NDP members of this committee to a man voted it down. They do not want the truth to come out because the truth is awkward, it does not fit in with their neat little perception as to how the world works. Landlords go broke if they have their buildings taken away from them and, in fact, trust companies may end up going broke because you are generating a situation where buildings are now worth 25% to 30% less than they were prior to this legislation coming forward.

The Minister of Housing is nodding no. Your own people refused to allow the trust companies to come forward and give evidence. Your own committee, the NDP mem-

bers, refused to let anybody from the Ministry of Financial Institutions come forward and testify until after the clause-by-clause hearing of this. How can you make an informed judgement if you get the facts after you have decided? I am sorry, it does not make any sense, and this government's bill does not make any sense.

There are landlords, small landlords who have gone out and they have mortgaged their homes in order to put the down payment on a small building. This is their life savings. It is their pension fund. They are going to lose it now. What are they supposed to do? Do you want them to lose their house? They will lose their business. Sure, the government will pick up the pieces. We know that you believe in socialism. We should have everybody paid the same amount. This is the trouble with taking this incredible drift to the left. It is not even modern socialism that you are involving yourself in, it is old, spent ideas that have been proven not to work.

Unfortunately, because I had to speak now, I was not able to attend a meeting that is going on at this moment where the committee on general government members were invited to hear an expert from Sweden, somebody who is a co-writer of a book, who won the Nobel prize on economics.

**Hon Mr Cooke:** Who paid his way here?

**Mr Turnbull:** A landlords' group. But it is very interesting, he is a socialist. He is a socialist.

It is most unfortunate that the members of the NDP have such tunnel vision and the facts get in the way with your vision. The answer that the NDP made every time we spoke about landlords going bust is, "Well, you made a bad deal." I would suggest that there is so little expertise among the NDP benches as to what is a good deal in business, how would they know?

On capital expenditures, it was very clear when rent controls came in, that there was always the facility to pass through expenditures to the tenants. Let's examine why that was done. Back in the 1970s, when rent controls came in, there was a sudden blip in rents. They went up very quickly and there was a two-year temporary piece of legislation put on. It is unfortunate that it was only made as temporary legislation, because it has distorted the market. Many of the landlords were losing money and when you control a market at inflationary rates, you will still be losing money. If you were losing money when control was brought in at inflation rates, you go for 10 years, you will still be losing money. Not only that, on average—and it is the Ministry of Housing that brought this information, his own Ministry of Housing gave us figures showing that the average rental increase since rent controls have been in is less than inflation. That is how fair this legislation is.

So there was the provision for pass-through of two elements; one, expenditures with respect to capital costs and the other requirement was that if you made financial losses you could slowly recover them, and a little blip occurred. Remember the Cadillac Fairview flip? Somebody was trying to get very cute with the legislation. The Conservatives at that time moved very quickly to fill that



gap and they brought in legislation that said you can only have one sale recognized per three years.

It is perfectly easy for the government to bring in legislation of that nature if the concern is flips, but it did not. It retroactively says: "All of the purchases that people have made for several years, the fact that you are legally allowed to charge back a loss at 5% per year, forget it. It doesn't matter what the law says. We simply know better."

On capital expenditures, Bill 4 would end the right of landlords to recover costs incurred in the operation of their building, namely, the cost of major repairs. Interestingly, studies by the city of Toronto and the Ministry of Housing indicate that the 80% of Ontario's housing stock constructed before 1975 requires some \$10 billion worth of repairs and renovations and it is estimated that by the year 2000, \$7 billion of those must be done.

The magnitude of the problem has not been disputed by either tenants or the major municipalities. What I heard from the people in the business was that, contrary to the popular belief of this government, owning residential property is not a lucrative practice. In many cases, the buildings actually showed a loss on operations.

I would just like to read a letter which was sent to the Chair of the committee.

"Dear Sir:

"Accept this as my written submission in respect of the above proposed amendment to the Residential Rent Regulation Act. I represent a small landlord in the Toronto area of a 30-unit apartment building. I purchased the building approximately seven years ago after having semiretired. This was an investment decision I made very carefully, with much consultation and investment advice, in order to protect financial savings which I had worked all of my life for. I felt it would be a safe hedge against inflation and ever-increasing living expenses. In the seven years of my ownership the building has not yet turned over a profit, nor have I ever been able to draw any sort of salary from it. Nevertheless, the building has increased in value, as has all real estate. The building is over 30 years old and as with all buildings or structures, it does require renovation and restoration work on a fairly regular basis.

1700

"Common sense dictates the fact that buildings will not last for ever without proper maintenance. Not only does it protect my investment, but it also provides tenants with a safe and decent place to live. Rent controls that were implemented in 1975 did not allow landlords to set out any sort of reserve fund for any restoration work. Let me emphasize that once again. Rent controls that were implemented in 1975 did not allow landlords to set up any sort of reserve fund for any restoration work.

"The current Residential Rent Regulation Act, 1986 attempted to improve the situation by allowing landlords to recover any investments made in order to restore and renovate their buildings. Believe it or not, this system began working. Things in need of repair were being repaired. Old and faulty alarm and sprinkler systems were being replaced. Faulty electrical and plumbing systems were being upgraded. Energy-saving windows were being installed. Leaky roofs were being fixed. Faulty boilers

were being replaced. It does not take a rocket scientist"—is just as well—"to realize that these are necessary requirements in order to maintain a building and that someone has to foot the bill. You cannot just expect maintenance work to continue without allowance for it.

"The NDP's proposed amendment intends to stop this retroactively. Furthermore, it even proposed to penalize landlords who recently undertook renovations and also prevent landlords from renovating in the future by making it financially impossible. This policy must be stopped. It is most definitely not in the best interests of tenants. Whether they believe it or not, in the long run it will convert decent living facilities into slums. This is truly a case where the landlords are being shafted and discriminated against, not the tenants.

"I have no quarrels with my tenants. Tenants are my clients and they deserve the best treatment I can possibly provide for them. Your policies will not allow me to do this. In short, your policies are saying that I must subsidize my tenants and that I have no right to any profits, furthermore, that I have no right to protect a life's savings investment from deterioration since I cannot claim expenses for restoration. I cannot comprehend why any government would want to pursue such a destructive policy. We all lose in this scenario.

"In conclusion, my request is very simple: either the current legislation be left as is or the newly proposed Bill allow for necessary restoration and renovation expenses. Thank you for allowing me to voice my concerns. Di Cultraro."

What does the minister now have to say? Well, he says, "We also recognize that major capital expenditures are required to keep rental properties operating to modern standards." Well, that is rather bizarre. We have legislation before us that will remove the right the government acknowledges is necessary and will have it in its permanent legislation.

I get very confused by this nebulous parliamentary double-talk. We bring in legislation which takes away the right to charge back the admitted, recognized need for capital expenditures and on the other hand we are saying, "Okay, do not worry, we are going to put it into permanent legislation." But in the meantime we have people who pay for renovations who are being told retroactively, "No, you can't have the money." That is absolutely rubbish, the idea that we are going to take away this right for two years, a right which will bankrupt people retroactively, will take away from people like this gentleman their pension fund. He has not made any profit in the seven years he has owned the building. I know the knee-jerk answer of the NDP is, "Oh, he made a bad deal when he bought the building," and yet when they consider that the value of apartment buildings has not kept track with inflation, how can they—

**Hon Mr Pouliot:** Come on, read the—

**Mr Turnbull:** There is a gentleman across the floor of the NDP, a minister saying, "Come on." Well, I will come on. The Ministry of Housing presented the statistics which



wed they did not keep up with it. Do they not read their briefs?

**Hon Mr Hampton:** What's this, a one-way train?

**Hon Mr Pouliot:** It's already left the station.

**Mr Turnbull:** When they contradict their dogma, I guess not.

A reasonable person will ask why. The only answer is the NDP made a promise to the tenants that they would not have to pay for capital expenditures, a promise designed to buy their vote. Do they remember the agenda power?

Simple, just one increase per year based on inflation, nothing more, very simple. Now we are told, "Well, maybe it's not so simple, but we will fix it in the permanent legislation," while the people go bankrupt in the meantime.

I am most concerned to see landlords going bankrupt, all landlords, because what happens is that you harm tenants. If any of the members have ever seen an apartment building which is under power of sale, they will know things do not get done. It is absolutely crazy and it has no reality, no sense of reality for economics.

Interjection.

**Mr Turnbull:** I am sorry, I have to say as a new member of the Legislature and somebody who has not been involved in the Conservative Party for a long time—I do not believe in the political values of the Conservative Party—

I did give credit beforehand to the New Democrats, I thought there was decency in them and honesty and I thought that the Agenda for People was—

Interjection.

**Mr Turnbull:** I was very, very naïve, and we can see in several of the letters from NDP supporters that they were fooled too.

**Mr Chiarelli:** Peter Kormos was fooled.

**Mr Turnbull:** Yes, he was certainly fooled.

I want to talk about financial loss. Given the fact that, as I said before, the original rent control legislation was brought in in the 1970s and it was a two-year temporary legislation in reaction to the fact that we had a sudden jump in rental rates, an unusually high jump. It was considered necessary for temporary legislation, it was recognized that if you were making a loss you had to have some way of redressing that, so there was an allowance that at a rate of 5% per year, up to a maximum of five years you could get that back so it was possible to calculate when you could break even.

As an expert on commercial real estate, I have to tell members that you do not get any commercial real estate investment makes any sense in the first one, two or three years. You only tend to break even around year five. So these people were not foolish and not buying at the wrong rate when they were buying buildings. In order for the normal market to perform, you have fluctuations and you have to wait for it, and it may take a little longer to get your investment back or a little shorter, depending on how the rents change. But when you control a market and you say, "We're going to control it based upon a certain number," a number which we now know has significantly underperformed in-

flation on the average over the years that it has been in effect—

1710

**Mr Mammoliti:** You can't get rich.

**Mr Turnbull:** You certainly cannot get rich.

But why do people buy apartment buildings? The reality is most apartment buildings in this province are owned by small landlords who have one building.

**Hon Mr Pouliot:** Tridel, Bramalea.

**Mr Turnbull:** You see, across the floor we have a minister once again shouting the names of a couple of large developers which, I am given to believe, are supporters of the Liberal Party, certainly not the Conservatives. But what he ignores is the fact that the majority of buildings are owned by small landlords.

To a great extent, they are ethnic people who came here and had a belief in property. They had lost property in Europe or in Asia, things had gone badly for them and they came here. They believed that they would secure their future by putting their small nest egg into a small building. And the vast majority of landlords, the vast majority, own one building with less than six units. These are not the Reichmanns, these are not the Tridels, these are not the Bramaleas. These are the people who have put their life savings in and they are typically people who do not have a pension fund. Sometimes they do have a pension fund because maybe they are unionists. In fact, we heard from several unionists, people who said that not only did they work at their union job, but then as well as that they went out and they worked in the evenings to make extra money so that they could pay the mortgage because they believed in securing their future. Now their future looks very, very dim, and this piece of legislation is going to take away their ability ever to get into the black.

When you buy a building, you do a calculation and you do a five-year projection, and it is based upon the amount that you can charge back. It is only 5% of the gross income per year that you are allowed for financial loss, up to a maximum of five years. By the time you compound that out, it is about 30% over the five-year period.

I would suggest to the minister that given the fact that all other costs go up in line with the guidelines that are set out by the ministry each year, so that 5% per year for five years is the only way in which you increase the value of the building, it is not something despicable and it is not something that some great capitalist has thought of. It is just the fact that in order to keep up with inflation, you value an apartment building based upon its income.

**Mr Chiarelli:** The minister as usual is not listening.

**Mr Turnbull:** The minister as usual, as the member points out, is not listening. It is a great shame. We have found this on many occasions. Oh, the minister finds it is very funny—he is smiling now—that small landlords are going to go bankrupt. I think this is so despicable and I have raised this at the committee hearings, that here we have a situation where we get such short shrift. The landlords who want to be heard about the most sweeping retroactive legislation are being ignored. They are being told, "No, you cannot have access to these committee meetings."



We had three weeks of public hearings about retroactive legislation. What is the hurry? If it is retroactive, it is absolutely ludicrous. There is no harm and yet at the same time the minister is saying: "Oh, don't worry about the problems and the mistakes we made in Bill 4. We'll fix it in the permanent legislation." While he is traipsing around the province, he will not allow any members from the committee on general government to go on those sojourns and speak to people who are interested in the permanent legislation. There is a committee set up to study this legislation and yet we are being told that no, the government will spend the taxpayers' money to have only the government minister and his coterie of anointed go with him and sell the message. He has spent \$500,000 of taxpayers' money to send out to the tenants of this province this paper and yet we are told that a member of the opposition was barred from entering these public hearings. This is open government, or the death of open government.

Unless you have the allowance of financial loss at least retroactively recognized—that means the people who bought buildings before the NDP were elected, and these people were acting within the framework of the law—you will drive them also into bankruptcy.

I am absolutely staggered at the number of times that I talk about bankruptcy and I look across at the NDP benches and the people are in stitches. They think it is so hilarious. This is people's life savings. It is absolutely disgraceful. It is estimated that 3,000 landlords are in danger of bankruptcy. You cannot retroactively legislate that they are unbankrupt.

There was a clause in Bill 51 about chronically depressed rents. It was never enacted and it was always understood that it would be enacted after the backlog of rent control issues was cleared up. It was estimated by the previous Minister of Housing that they would in fact start to bring in a "chronically depressed rent" clause at the beginning of this year. That, of course, has been ignored. The Conservatives brought forward a motion to have that enacted, but that was voted down by the NDP. We have cases where people are paying \$40 a month in rent. When you pay \$40 a month in rent and you get a guideline increase, what are you going to do to replace the roof? Are you going to replace it one shingle at a time? It is utterly ludicrous.

**Hon Mr Pouliot:** What is the average in Toronto? What is the average rent in Toronto compared to other Canadian cities?

**Mr Turnbull:** The average rent across the province? That is a very interesting point. The average rent across the province for households—I do not have the number off-hand for Toronto, but across the province it is 17% of household income. This is very curious. It is very curious that the very government that in the last election said it was going to bring in legislation to have mortgages at 10.5%, that said: "It's simple. Don't worry. It won't cost the taxpayers any money. We will just borrow at the rate that governments borrow at and we will fix it"—but of course that is another one of the election promises which are just going up in air.

1720

**The Deputy Speaker:** Order. Make sure that you address your remarks to the Chair. This is not the committee of the whole House. Just address your remarks to the Chair.

**Mr Turnbull:** Mr Speaker, I would like to turn now the subject of retroactivity. I must say, Mr Speaker, it is a much pleasanter view to look towards you on the throne than across at the other side.

With respect to retroactivity, landlords obeyed the law. In order to file an application for a rent increase, you had to have substantially done all of the work, and when they went to file this, they were told that, no, it did not matter that they had, in fact, done the work and paid for it, they were not going to get the money. So landlords obeyed the law. They relied on present legislation to make business decisions. Some even received binding orders from the government stating rent increases to which they are entitled. They are now told the rules have changed after the fact.

I would like to give you an example of Joe Pemberton who received a conditional order. Joe Pemberton and his partners together own a 20-unit building at 22 Robina Avenue in Toronto. A carpenter by trade, Mr Pemberton was well aware of the need for major work in this 75-year-old building. So was the Ontario government, which provided assistance under the low-rise rehabilitation program for required renovations.

Because Joe and his partners are working people who had to borrow against their own homes to raise the money required for this work, they sought an advance ruling and assurance that the money would be repaid over time from increased rents. A conditional order was obtained in June 1990 for a 25% increase effective January 1991. The new rents for the renovated units would be still affordable, ranging from \$440 to \$595 per month.

With his order from the government in hand, Joe Pemberton mortgaged his house and completed the work. He only to have a new government, which was not elected until three months after he obtained his ruling, change the rules on him. He and his partners are now trying to cope with a \$4,000-a-month carrying cost for the investment, solely because of this government's reversal. There are approximately 50 other landlords who also have conditional orders who are in the same situation as Joe Pemberton.

Many small landlords face dire financial circumstances; 9,000 units presently operate at a loss. Do they declare personal bankruptcy? I have had a lot of phone calls from landlords asking, "What do we do, do we declare bankruptcy," and I am saying, "Hold on, let's see if we can improve things." We have not been able to improve things. Do they find additional employment? Do they move home, to their home with their parents? Do they give up their own home? How can we tell people what they should do? This is outrageous legislation, as I said before.

Is the bill so unfair that it is unconstitutional? There is a court challenge coming, and one of the pre-eminent law firms in Metro Toronto specializing in landlord and tenant



...lation has suggested that, yes, it is unconstitutional. I asked the minister to refer the question of the constitutionality to the courts. He refused to. We asked for the legal opinion which the minister had obtained prior to bringing in this legislation, paid for by the taxpayers of Ontario—and I would suggest landlords are taxpayers, so they have paid in part for this legal opinion—yet he refuses to release it. We have in fact served the minister with an order under the freedom-of-information act requesting that the legal opinion be made available, and to date we have not got an answer from it.

The whole question of rental housing is something which is so important. We know from the deposition that I had from Mr Thom, who conducted a very extensive study of rental housing in the 1980s, and in fact the Ontario government spent \$3 million on producing that report. When the Liberals came into government, they never asked him to come and report back his findings, and he was somewhat surprised at that, to say the least. But when he came before the committee he told us the fact that 30% of all tenants cannot afford the rent they are paying now. They do not talk about rent increases, do not talk about controlling it; they cannot afford the rent they are paying now, indeed I have had tenants come into my constituency who are in the difficulty that they are so hard up.

The Progressive Conservative Party has consistently allocated shelter allowances so that we target those people who are in the most need so that they can have affordable housing. We have got to take away the ravages of the rental legislation which discourages landlords from keeping the buildings in good repair and also encourages the wealthy to stay in rent-controlled apartments.

I will give members the example of somebody living in Rosedale. This story is about four years old, but I know it is well. The landlord applied for a 15% rental increase, in point of fact when the landlord applied for it, it was a new landlord and 5% of the rental increase was with respect to the financial loss he was incurring. The building had been in the same ownership for about the last 25 or 30 years.

The tenant who complained first about the 15% rental increase paid at the time, for a two-bedroom apartment in the best part of southern Rosedale, for a two-bedroom apartment with three parking spaces, \$550 a month. At the time he went to his cottage in the Muskokas. In the meantime, his rent-controlled garage spaces, he had three cars. He had a new Mercedes-Benz; he had a new Volkswagen Rabbit convertible, also not an inexpensive car, and he had a DeLorean under carefully tailored wrap which kept it in pristine condition. And he was complaining about a 15% rental increase. At \$550 a month, by the way, included his hydro and his heat and his taxes. The only thing he had on top of that was his telephone bill.

Now is this truly what we want to do with rent control? Do we need to protect people like that? I think not. I think what we have to do is protect the most needy in society, and there are needy, and every one of us legislators in our constituency office truly needy people everywhere. These are the people we should be concentrating on, not on the shotgun approach, which does not work and

leads to deteriorating buildings and the most needy are forced into higher-rent locations. They do not get the low-rent locations.

In concluding, I just want to say that it is our opinion that this should go back to the committee for further study so that the people who wish to be heard could be heard and we can have a more timely opportunity to study reasonable alternatives. These are not reasonable alternatives and we do not believe that it should be brought before the House.

**The Deputy Speaker:** Are there any other members who wish to participate in this debate? Shall the report be received and adopted?

**Some hon members:** No.

**The Deputy Speaker:** Agreed?

**Some hon members:** No.

1730

**The Deputy Speaker:** Order, please.

"Pursuant to standing order 27(g), I request that the vote on the motion for adoption of the report of the standing committee on general government on Bill 4, An Act to amend the Residential Rent Regulation Act, 1986, be deferred until 5:45 pm on Wednesday 20 March 1991. Mike Cooper, deputy government whip."

**Mr Eves:** On a point of order, Mr Speaker: I have no problem with the request that has been made, except that I would point out, did you say the deputy government whip? The request may be made by the chief whip of a recognized party. The chief whip is sitting right there.

**Hon Miss Martel:** It was not sure the chief whip could get to the building on time, so we appointed the member for Kitchener-Wilmot as the acting government whip, and I think on your piece of paper, Mr Speaker, that is how it is signed and authorized.

**The Deputy Speaker:** I agree, and also it is a question of technicality. She happens to be here at this time, but her intention was not to be here and the chief government whip was the member for Kitchener-Wilmot. So I respect the presentation.

**Hon Miss Martel:** I might at this time ask for unanimous consent that this House might deal with the debate on the orders for concurrence. I would also ask unanimous consent of the House to allow questions and comments during the debate on concurrence in estimates.

Agreed to.

#### CONCURRENCE IN SUPPLY, MINISTRY OF TREASURY AND ECONOMICS

**Hon Mr Laughren:** I shall be very brief in my remarks because I know that other members may want to engage in the debate, not just on this ministry's concurrences but others as well.

It has been a difficult year in the province of Ontario. I am of course late to the problem, not until October, but I can tell members that it is making the task quite difficult. At the same time, it is a challenge and we must face the recession and all the problems attached to it with a degree of optimism. We are not in a recession that is going to last



for ever. We are into one that we think will turn around later in this year.

I would not be so bold as to blame all our problems on the federal government and its wrongheaded policies, but at the same time I think all members would agree that the very high interest rates that the federal government has insisted on having in this country for the last couple of years have really done a lot of damage to the Ontario economy. As the manufacturing heartland of this country, Ontario has been hardest hit in this recession. I think it would be unfair to blame either the previous government or this one for the recession. I think that that is not appropriate. At the same time, I do think we have to take a very hardheaded look at what federal government monetary policy has done to the province of Ontario.

I have met with virtually no one in all the pre-budget consultations who did not agree that the high interest rate policy was doing damage to Ontario. I say "almost all" because there were people who agreed that it was absolutely necessary that the federal government be preoccupied with high interest rates and maintain them that way.

Yesterday in this assembly I announced that the deficit for this fiscal year ending 31 March was now going to be \$3 billion, whereas we had been anticipating and hoping that we could hold it at \$2.5 billion. That obviously now is not the case and it is not difficult to analyse that problem. Our revenues have been down dramatically from major sources of revenue; namely, the corporate income tax, retail sales tax and land transfer tax. Those revenues have been down very substantially in this fiscal year and we are not expecting a dramatic turnaround in those revenues for the balance of this year either. So it is not a mystery as to how we got into this situation.

There were some numbers that we inherited that I did not like, but at the same time they do not account for the majority of the \$10-billion—sorry, the \$3-billion deficit that we are having this fiscal year.

**Mr Nixon:** I hope that 10 was not Freudian either.

**Hon Mr Laughren:** No, it was not. The \$3-billion deficit for this year is primarily because of falling revenues and a dramatic increase in welfare case loads. I continue to be amazed and not very happy about the increased welfare case loads. At the same time I try to make sure that I do not look at them simply as someone who is trying to come up with a bottom-line figure, but rather to keep in mind the misery that is attached to welfare case loads; that it is not simply that it creates a problem for us as we do budgeting but rather that it means that there are a lot of problems out there in the province of Ontario.

We know as well that just in the last 12 months the job losses or the increase in unemployment has been 260,000. That is a truly dramatic increase in unemployment and it truly is an unprecedented increase in unemployment. We know, or at least we hope, that it is going to turn around later this year. Forecasters are of mixed minds about whether it is going to turn around in the summer, late summer or early fall, but virtually all forecasters are predicting a turnaround before the end of this year, and that includes the forecasters in the Ministry of Treasury and

Economics. And of course we know what an astute group they are.

But the other forecasters out there as well are predicting that things are going to turn around. We tried, when we realized we were in a recession, to do something. I know that for the official opposition we did not do enough; for the third party, I suspect they believe we did too much. So perhaps there is some solace there for us that we are doing something right, since the two opposition parties are in disagreement.

I think that the \$700 million that we have put into the Ontario economy in capital works will go some way at least to alleviating the problem. I have no illusions that it is going to solve all the problems. We would like to do a lot more, but the \$700 million will at least make a contribution.

We had some particular criteria on the allocation of funds for that \$700-million package. First of all, it had to be capital works. We did not want to put in place program expenditures that would become annualized over the years to come, so we are quite particular about that, about being capital works projects. As well, there is a high multiplier to capital works projects. We also wanted the projects to be environmentally friendly. We wanted them to increase access for the disabled and of course we wanted to help all of our public institutions out there because that public infrastructure is so important to us, not just now but when the recession is over as well.

So we think that we did the right thing with the \$700-million package. We have asked the school boards and municipalities to help in the program. I might add we also asked the federal government to help in the program and declined, without thanks, to participate in our anti-recession package. As a matter of fact, if anything, they have made it worse with what they have done to us in the federal budget.

1740

**Mr Stockwell:** Terrible, terrible.

**Hon Mr Laughren:** Well, the third party seems to think that its friends in Ottawa are doing the right thing. They think that cutting back transfer payments to the province is the right thing, which simply transfers the federal debt to the provinces, then they have got a strange view of public policymaking in this country. At a time when we should be trying to strengthen the regions of this country for all sorts of constitutional and economic reasons, I find it deplorable that the federal government moves in the opposite direction and transfers its problems to the provinces. That is truly unacceptable. That is unacceptable public policy.

**Mrs Cunningham:** That is almost as bad as you cutting back to the municipalities, Floyd.

**Hon Mr Laughren:** I want to tell the member that the solution would be the same as if we in this province decided that—

**Mrs Cunningham:** You pass yours to the municipalities. There is no easy solution. You can't keep playing that game, Floyd.

**Hon Mr Laughren:** Well, if the—



**Mrs Cunningham:** Get rid of the debt so nobody has to pay these bills. That's what you have to do. Get rid of it.

**The Deputy Speaker:** Order.

**Hon Mr Laughren:** Transferring the debt from the federal level to the provincial level does not solve any problem. That is perverse public policy. If we wanted to do what the federal government had done, we would have to turn our backs to our partners out there, the school boards and the municipalities, "We are going to cut our grants to you this year." We did not say that.

We see the school boards, the municipalities, the hospitals as our partners in the public life of Ontario, and we will transfer announcements that were substantial and will help them maintain their commitment to their constituencies. We intend to honour that commitment that was made in the major transfers announcement. We are not going to do what the federal government is doing to the provinces. We are determined not to do that.

I can understand the angst of the third party. After all, we have to defend what their cousins in Ottawa do. At the same time I think they should be fairminded and acknowledge the fact that what the federal government has done to the province is not helpful to us as we attempt to make public policy in this province. It has been very, very harmful. Whether you are talking about the cap on the Canada assistance plan payments or the restrictions on the published programs financing, it has been very harmful to the province of Ontario as we attempt to manage our affairs in the middle of a recession.

**Mr Jordan:** Thanks for the lecture. Get on with your speech.

**Mr B. Murdoch:** Get on with the speech. Come on.

**Hon Mr Laughren:** I am telling you, Mr Speaker, it is difficult with the interjections.

**Mr Tilson:** We have heard the "blame the feds" speech before. Get on to your policies.

**Mr B. Murdoch:** What about your policies? Don't worry about the feds.

**The Deputy Speaker:** Order, please. Minister.

**Hon Mr Laughren:** I can recall that when I was in opposition and concurrences were on, I always felt that they were very important and always refrained from interjecting. The members opposite have a short memory. They do not remember that I refrained from interjecting during concurrences.

Another move we took that was quite deliberate to get more money in the pockets of taxpayers, we decided to impose our retail sales tax on top of the GST. If we had done that, it would have meant \$500 million roughly, a little less this year because of decreased economic activity, but almost \$500 million that would have flowed to the consolidated revenue fund, but we made a determination not to do that.

I do want to leave time for responses from members opposite, so I will stop talking but simply say to members opposite that they should not despair because we are in a recession. We know that there are some signals out there that the recession is going to come to an end and we think

this year. We see increased activity on the stock markets, we see increased real estate sales and we see a lowering of interest rates at the federal level, although not as much as we would like to see. But those are three signals we think that give us encouragement that the recession is going to come to an end later this year.

We are going to make sure, as we prepare for the 1991-92 budget, that we are prepared for the recovery because we know that there is a restructuring going on out there underneath us as we speak, and we are very concerned that we are well placed to take advantage of that restructuring as the recovery occurs.

**Mr Daigeler:** The Treasurer, who is otherwise a very likeable fellow, at least when he was on this side of the House, is talking in very caring terms about the economy of this province, and we are certainly appreciative of this. After all, we are expecting this from the Treasurer. However, we would have expected the Treasurer at least to show enough courtesy to the standing committee on estimates that he has shown to the House today and appear and fully defend his Treasury programs at the standing committee on estimates, not to appear for only a few hours and then for inexplicable reasons not be there again.

I think the minister has shown that he can certainly defend his positions, and it is totally unexplainable why he should not have shown up at the standing committee on estimates itself to show his concern in front of the representatives of the two opposition parties. It is shameful for a member who has been in this House for a long time and who was talking earlier on about the traditions of this House and how he has presented himself in opposition that the first time he had a chance to come to the standing committee on estimates and to defend and represent his views on the very urgent problems in this province, he did not take the time to come to us and speak with us and speak to all the people of the province, through the committee, about the serious problems that we are facing and what he is planning to do about them.

While we respect the Treasurer in his ability to manage the finances of this province, he is off to a very, very poor start, I must say, when it comes to the legislative process, to the credibility and the integrity of this House, by not coming, as all other ministers have done, and representing for the full seven hours his ministry estimates at the committee meeting.

**Mr Kwinter:** I listened with interest to the Treasurer and I just would like to question him about a couple of things. When he appeared before the standing committee on finance and economic affairs, he appeared with his officials and he gave us an overview of where he thought the economy was going to be this year.

When we questioned him, he gave us assurances that yes, these were figures that were accurate, they had done all of their homework, everything was exactly as he had predicted and in fact, because of windfall revenues, he was going to be able to keep the deficit this year at \$2.5 billion. It was only five or six weeks ago that that was the figure. His officials sat there and said: "Yes, absolutely, we've done all of our numbers, we've checked them. We're



going to be at \$2.5 billion and you can virtually take that to the bank and count on it." Now six weeks have gone by and the other day the Treasurer stood in his place and said that in effect the economy is not performing as well as it did and we are going to have a deficit of \$3 billion.

I think there is sort of an illusion. When he says \$2.5 billion or \$3 billion, it does not make too much difference, but he is talking percentagewise. He is going from \$2.5 billion to \$3 billion in a matter of weeks and, as a result, I think we are at serious risk that all of the other projections that they have made are also no longer valid. I hope that when the Treasurer is taking a look at his projections and when he brings down his budget, he will really try to make sure that there is some validity to what he is talking about.

**Mr Nixon:** I am glad to have a chance for a few moments to comment to the Treasurer, because he was patting himself on the back that, unlike the federal Conservatives, he had in fact increased his grants to school boards. In absolute terms I am sure that is right, but the increase was not as much as it was last year when he castigated the former Treasurer for not being generous enough to assist the school boards.

As a matter of fact, his political allies, the Ontario Secondary School Teachers' Federation, said that the inadequacies of our increase amounted to child neglect, one of the stupidest and most nefarious charges that I have ever seen in print. Actually, I understand now that the OSSTF is so disillusioned with the Treasurer and his colleagues that they have started to phone Liberals again and they realize that their only hope is for us to be restored to office so that we can begin the improvement in the financing of education. But the honourable Treasurer, which is surely a part of the policy of the New Democratic Party, has not only not moved towards fulfilling the 60% of the cost of education promise solemnly made by his leader the Premier and his colleagues, but in fact his transfers have amounted to a reduction in the percentage share paid by the government of Ontario in those overall costs.

1750

The honourable member, who has been around here a long time—some say too long; not I—will well remember that in our first year of office we actually reversed this terrible trend and the percentage paid by the government of Ontario increased during our first year of office. Perhaps he could apprise us of what happened after that, but that is his prerogative.

**Mr Stockwell:** There are a couple of concerns that I would like to express after the Treasurer outlined his statement. There are only really two ways to deal with this particular dilemma, being the recession that this province finds itself in. Some would suggest the spending approach, to spend your way out of the recession, is the most appropriate route to go. This party, frankly, disagrees with that approach. We disagree with it today and when the Treasurer announces his budget some time next month, potentially, we will disagree with it at that time too. There is no chance that we will agree to seeing this province go \$7 billion, \$8 billion, \$9 billion or \$10 billion into debt.

It is a consistent theme that we have offered to the people of Ontario and if the Treasurer is suggesting to me to the people in this province and the federal government that the best way to resolve the recession is to try and spend his way out, it is foolhardy, very, very foolhardy. He will not make a blip in the economy of Ontario with the moneys that he is speaking about. He will have the moneys reach the public long after the recession is in fact over including his \$700-million capital improvement fund that will not be meeting the public's needs until after the summer, when the Treasurer claims we are going to be spinning out of this recession.

If he is expecting us, after that lecture, to start defending a program that calls for debt in the magnitude of the numbers that he is talking about, he is dead wrong. And the Liberals want to stand up and compare their Viscount for five years, which was \$10 billion in debt, and the government thinks it is successful because it can outspend them, they are fooling themselves and the people and we will never support that kind of spending in this province. Thank you.

**Hon Mr Laughren:** I must be brief in my remarks. The member for Nepean—I was unhappy with what I had to say, because I tried very hard to spend as much time at the estimates committee as I could and I actually had an agreement with the Chair of the committee to attend in the hours I did, so I think that the member is being a bit unfair.

The member also talked about our revenues. Somebody asked about the revenues being down; oh, the member for Wilson Heights, about the fact that I had indicated our deficit was going to be \$2.5 billion and one reason was that our income tax payments from the federal government were higher than we thought they would be and that was true. Without those, the deficit would have even been higher. There is no question about that, but following that while we were speaking at that estimates committee, the numbers are still rolling in on both the welfare case load plus the corporation income tax, retail sales tax, land transfer tax and quite frankly that is simply what happened. There was nothing mysterious about it: The recession was much deeper than anybody thought it was going to be. No one predicted the drop in employment that we heard about two weeks ago. Nobody predicted that. That was a truly remarkable increase in unemployment.

The leader of the official opposition commented about a remark that we did not spend enough money, I gather, on our transfer payments. If you compare what every other jurisdiction is doing in this country in the middle of the recession, we were more than generous and I think that our partners out there, including the school boards, are very appreciative of the fact that despite the middle of a recession, despite a climbing deficit, we were able to give them as substantial transfers as we did in fact do.

I am sorry, I wish I had more time to respond to the member for Etobicoke West.

**Mr Beer:** It is a pleasure for me to begin some remarks this afternoon, and particularly to flow on from what the Treasurer has just been discussing.



As we look at the estimates of Treasury and particularly because the Treasurer has chosen to talk about the transfer payments, and because the former Treasurer and leader of the opposition has noted, I think, some very salient facts that we need to bring forward to the Treasurer, it is perhaps the place to begin a discussion of the whole area of educational financing and funding and what it is the current government is doing or, more appropriately, is not doing.

One of the things that was always interesting, when we were over there and you were over here, was the way in which you would simply say: "Look, you cannot blame anybody else for your problems. What we are interested in is what are you doing." So I think it is not at all surprising that as we listen to the various things you say about the current government, we understand that, we accept that, and probably said many of those things ourselves.

None the less, in a real sense, a government is known by the financial decisions that it makes, and what has been clear since you assumed government in October is that the area of education and the funding of education, it is a priority and has clearly been placed on the back burner.

There are a number of things that I think we can look at which address that very specifically in terms of percentages, in terms of the actual programs that you are doing, and I also want to offer to the Treasurer some advice, which I hope he will consider in the normal fashion, that goes with his commission, this tax commission, the New Democrat tax commission that was set up. It has another focus in some circles, but I think here we see it as the New Democratic Party tax commission.

In terms of what many of us have been saying in this House over the last year, everybody agrees that there is a need to look in a more fundamental way at the tax system, and I think on that we can all agree. If the tax commission can come up with some useful proposals, that is fine too. Somewhere we have to indicate very clearly our concern is not only in terms of the time frame of that particular commission, and my understanding is, and the minister can correct me if I am wrong, that the first meeting of the commissioners is going to take place some time this week.

There are a number of areas where there may be some specific kinds of recommendations that one wants to make, but I think particularly in the area of educational financing there has to be some way of fast-tracking our ability to deal with the various problems that are out there. I would want to say to the Treasurer that I think a good place to start, and a document that I hope he would give to the tax commission, is the third report of the select committee on education. That particular committee had, of course, representatives from all of the three parties. They spent an extensive time carrying out hearings and looking at all aspects of the whole financing system for education.

In their report—and I think it is interesting to note and important to note that they brought in a unanimous report, all members agreeing with some 34 recommendations, many of which dealt in a very specific sense with how we should go about changing the model that we have for educational financing.

The reason I think it is important to note those recommendations and note the work of the committee is simply that a lot of very recent work has been done by a legislative body which, I think, can speed up, of you like, the work that the tax commission will be doing in a number of different areas.

If the minister looks—and in the short time left this afternoon I would like to read to you one of the recommendations that is made. Recommendation 3—again a unanimous report, and some very prominent New Democrats, as the minister will know, were on that committee:

There are three points.

"The ministry should consult with the key partners in education as soon as possible in order to determine a clear and understandable mode of calculating the cost of providing the education services mandated in the Education Act and identifying the basic components of recognized expenditure;

"develop a rational means of updating these cost calculations and ceiling determinations; and

"complete the development of these calculations by 30 August 1990."

This report came out in January of last year so it would not be difficult, using a system devised by all three parties, for that tax commission to come up with proposals by August or September of this year. Mr Speaker, I would like to go on at some length on some of these, but I note that the clock is fast approaching 6, if indeed it has not, and so I wonder if I might thereby adjourn the debate at this time.

1800

**The Deputy Speaker:** Pursuant to standing order 33, the question that this House do now adjourn is deemed to have been made.

#### MINISTRY OF REVENUE

**The Deputy Speaker:** The member for Ottawa-Rideau has given notice of dissatisfaction with the answer to a question given today by the Minister of Revenue. The member has up to five minutes to debate the matter and the minister may reply for up to five minutes.

**Mrs Y. O'Neill:** I am concerned that the Minister of Revenue seemed to be confused by the facts I presented earlier this afternoon regarding her meeting with NDP municipal politicians in February of this year. It is for this reason that I have asked for this opportunity for the minister to provide a direct answer to the concerns I have raised.

In presenting my comments this evening, I will try again to outline the chronology of events in which the Minister of Revenue was involved. I will try to clarify that we are all aware there have been a number of meetings regarding market value assessment over the years. Our concern is with the fact that there was one specific meeting where there was significant discussion and where invitations were limited to NDP supporters.

In her response this afternoon, the minister raised the issue of meetings offered to members of the Legislature. These meetings are not the meetings I am talking about. This afternoon the minister's availability to meet with MPPs or indeed to provide resources for briefing were not at question. My question dealt instead with the minister's



decision to hold what some elected Toronto officials consider a very high-level meeting, but the representation was selective. The representation of municipal government members, all NDP supporters, was the restriction.

I want to let the minister know that I am very aware that earlier in the year she did meet with a Metro delegation which included Chairman Tonks, and with a city of Toronto delegation which included Mayor Eggleton. The reports I have heard from these meetings indicate that the minister listened to the presentations, but did not have a lot of time to deal with real issues.

I want to make it clear to the minister that I am raising these concerns on behalf of a number of municipal politicians across Metro and the city of Toronto who were very upset with the minister's action. My concern is that there was another meeting, an unannounced meeting which the public at large, and indeed many elected councillors, were not aware of until it was revealed to them in the press.

My question to the minister this afternoon dealt specifically, I repeat, specifically, with her decision to invite a select group of Metro area municipal politicians to an unpublicized meeting, a preferential-access meeting, to talk about market value assessment.

When he found out about the meeting, Michael Walker of the city of Toronto council said, "I'd like to know what secret arrangements they are cooking up behind closed doors." As he was one of the duly elected municipal representatives excluded from the meeting, Mr Walker was very concerned about what was discussed at the meeting when he said, "We have the right to question whether they are being brought into line by their party colleagues at Queen's Park."

The mayor of the city of Toronto is also quite concerned and feels that municipal politicians were unfairly excluded from this specific meeting. "I cannot recall, in all my times as mayor, there ever being a meeting called on an issue of municipal interest where only people of the same political stripe were invited." I want to reiterate that these concerns stem from a specific meeting that the minister had with municipal NDP supporters, not from any meetings which may or may not have attempted to be arranged with members of this Legislature.

I want to remind the minister of the Premier's remarks on 20 December 1990, on which the Premier said, "The Leader of the Opposition has said that what concerns him is the sense that one party is being favoured over another." That is exactly the perception, and in this business perception is reality. That is exactly the problem I discussed with the two ministers this morning in our conversation. That is exactly the business that has troubled me. It is something I do not want to see repeated. It is something I regard as a mistake.

So I place my question again to the minister, which I hope she will finally address this evening, whether she does not agree that her meeting with NDP supporters on market value assessment sends a clear signal of political favouritism on a very important issue, and indeed destroys partnerships between municipalities and this provincial Legislature.

**Hon Ms Wark-Martyn:** I would just like to add that the meeting the member is talking about did not just include municipal people. I would like to make that very clear from the beginning. There were other people there that is correct.

The member for Ottawa-Rideau is complaining about so-called secret meeting. She is under the mistaken impression that there was any one meeting about Toronto assessment where anything was decided. That decision will take place in cabinet. That is a privilege that cabinet ministers have and I will be bringing that information to them after I have met with several people and delegations.

There have been many meetings on many different dates and times and nothing has been decided in any of them. I have held meetings with many interested people and groups to hear their views on this matter. I have consulted my cabinet colleagues in the ministries that might be affected by any decision. I have met a delegation from the city of Toronto council on 22 January. The delegation included Mayor Art Eggleton, who is not a prominent New Democrat. The delegation also included Councillor Michael Walker, who has also complained. He had the chance to put his views directly to me. Was that a secret meeting?

I met with the delegation from the city of Scarborough on 30 January and heard its views. Was that also a secret meeting? I met with Citizens for Property Tax Reform on 23 January. The delegation included people from several municipalities. Does that constitute a secret as well? I met a delegation from Metro council including Chairman Tonks and six other councillors on 31 January. I do not think that is a secret either. I met with New Democrats from the city, Metro and provincial levels, on 20 February and heard a range of views but nothing was decided even went so far as to contact Metro councillors opposed to Metro's own plan and they have conveyed their views on me.

As I said earlier, my office contacted the offices of the leaders of both opposition parties several times but was unable to set up meetings. I am still open to meeting with Liberals and Conservatives on this issue. All they have to do is call my office. If they have any suggestions for other groups or people that have not been consulted, they can also pass these on to me. It is the policy of this government to consult widely, and I have done so to the best of my ability. I have met with people from all three political parties. I have met with people who do not claim to support any party. I have met with people from outside of government as well. If that is a secret, then it is the worst-kept secret in Ontario.

There has been no decision made on this matter, and anyone who wants to be heard has that opportunity. As a New Democrat I will meet with New Democrats. As a minister I will meet with people from all three parties however they want to meet with me. I am committed to doing that and committed to hearing what all people have to say, because I am very aware that market value assessment does not just affect New Democrats; it affects all of us, including those across the province of Ontario.

The House adjourned at 1810.



**ALPHABETICAL LIST OF MEMBERS**

(130 seats)

First Session, 35th Parliament

**Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC**

<b>Name of member</b>	<b>Constituency</b>	<b>Party</b>	<b>Other responsibilities</b>
Donald	Wentworth North	NDP	
<b>nde, Hon Zanana L.</b>	St Andrew-St Patrick	NDP	Minister of Community and Social Services
<b>n, Hon Richard</b>	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
ott, Ted	Wellington	PC	
, Charles	York North	Lib	
on, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
<b>d, Hon Marion</b>	London Centre	NDP	Minister of Education
ley, James J.	St Catharines	Lib	
vn, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
<b>anan, Hon Elmer</b>	Hastings-Peterborough	NDP	Minister of Agriculture and Food
ahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
an, Elinor	Oriole	Lib	Chair, standing committee on social development
, Gary	Oakville South	PC	
<b>ter, Hon Jenny</b>	Peterborough	NDP	Minister of Energy
<b>rlton, Hon Brian A.</b>	Hamilton Mountain	NDP	Minister of Financial Institutions
relli, Robert	Ottawa West	Lib	
stopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
<b>rley, Hon Marilyn</b>	Riverdale	NDP	Minister of Consumer and Commercial Relations
ry, John C.	Cornwall	Lib	
way, Sean G.	Renfrew North	Lib	
<b>ke, Hon David S.</b>	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
er, Mike	Kitchener-Wilmot	NDP	
<b>pen, Hon Shirley</b>	Niagara South	NDP	Minister without Portfolio, chief government whip
iano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
sens, W. Donald	Markham	PC	
ingham, Dianne E.	London North	PC	Chief whip
ing, Alvin	Scarborough North	Lib	
amo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
eler, Hans	Nepean	Lib	
ynville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
nan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
son, Murray J.	Bruce	Lib	House leader
, Ernie L.	Parry Sound	PC	House leader
<b>an, Hon Mike</b>	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
ett, Joan M.	Northumberland	Lib	
uson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
her, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
kford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
<b>ntes, Hon Evelyn</b>	Ottawa Centre	NDP	Minister of Health
dmaitre, Bernard	Ottawa East	Lib	
<b>r, Hon Ruth A.</b>	Etobicoke-Lakeshore	NDP	Minister of the Environment
ak, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Hampton, Hon Howard</b>	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	
Kwinter, Monte	Wilson Heights	Lib	
<b>Lankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Martel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>North, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
Donnor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
er, Steven	Mississauga North	Lib	
eil, Hugh P.	Quinte	Lib	
ieill, Yvonne	Ottawa Rideau	Lib	
ns, Stephen	Scarborough Centre	NDP	
uzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
ip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
lips, Gerry	Scarborough-Agincourt	Lib	
ey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
ier, Jean	Prescott and Russell	Lib	
le, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
liot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
say, David	Timiskaming	Lib	
o, Tony	Oakwood	Ind	
ciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
recht, Tony	Parkdale	Lib	
t, Ian G.	St George-St David	Lib	
o, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
, John	Mississauga East	Lib	
ara, Gregory S.	York Centre	Lib	
ling, Norman W.	Carleton	PC	
kwell, Chris	Etobicoke West	PC	
van, Barbara	Halton Centre	Lib	
erland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
erbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
on, David	Dufferin-Peel	PC	
ibull, David	York Mills	PC	
eneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
d, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
d, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
k-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
ner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
ers, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
senger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
te, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
lman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
on, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
on, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
on, Jim	Simcoe West	PC	
ninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
eman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
ner, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

## COMMITTEES OF THE LEGISLATIVE ASSEMBLY

### STANDING COMMITTEES

#### Administration of justice

Chair: Drummond White

Vice-chair: Mark Morrow

Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Fred Wilson, David Winninger

Clerk: Lisa Freedman

#### Estimates

Chair: Cameron Jackson

Vice-chair: Margaret Marland

Members: Gary Carr, Hans Daigeler, Ron Hansen, Karen Haslam, Wayne Lessard, Dalton McGuinty, Lyn McLeod, Anthony Perruzza, Margery Ward, Gary Wilson

Clerk: Franco Carrozza

#### Finance and economic affairs

Chair: Jim Wiseman

Vice-chair: Ron Hansen

Members: David Christopherson, Norman Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Chris Stockwell, Barbara Sullivan, Kimble Sutherland, Brad Ward, Margery Ward

Clerk: Todd Decker

#### General government

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Vice-chair: Allan K. McLean

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Clerk: Douglas Arnott

#### Legislative Assembly

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Vice-chair: Ellen MacKinnon

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Clerk: Franco Carrozza

#### Public accounts

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Vice-chair: Dianne Poole

Members: James J. Bradley, Brian A. Charlton, Sean G. Conway, Mike Cooper, W. Donald Cousens, Pat Hayes, Paul R. Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson

Clerk: Tannis Manikel

#### Regulations and private bills

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Clerk: Todd Decker

#### Resources development

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Members: Ted Arnott, Brian A. Charlton, Marilyn Churley, John C. Cleary, George Dadamo, Leo Jordan, Paul Klopp, Steven Offer, David Ramsay, Len Wood

Clerk: Harold Brown

#### Social development

Chair: Elinor Caplan

Vice-chair: Joseph Cordiano

Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owen, Tony Silipo, Jim Wilson, Elizabeth Witmer

Clerk: Lynn Mellor

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#### Ontario in Confederation

Chair: Tony Silipo

Vice Chair: Gilles Bisson

Members: Charles Beer, Marilyn Churley, Ernie Eves, Charles Harnick, Margaret Harrington, Gary Maldowski, Steven Offer, Yvonne O'Neill, Fred Wilson, David Winninger

Clerk: Tannis Manikel

### SPECIAL COMMITTEE

#### Parliamentary Precinct

Co-Chair: David Warner

Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Irene Mathysen

Clerk: Smirle Forsyth



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# Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Wednesday 20 March 1991

# Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Le mercredi 20 mars 1991

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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### **Table des matières**

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 20 March 1991

The House met at 1330.

Prayers.

## MEMBERS' STATEMENTS

### MEMBER'S CONDUCT

**Mr Phillips:** I really appreciated the Premier's comments the other day when he compared himself to a coach. I particularly appreciate it because I have been coaching minor hockey for the last 18 years and I recognize some of the challenges a coach faces.

No doubt right now he feels like the coach in the dressing room before a championship game. Suddenly one of his offensive stars gets a little lippy—and this happens to a lot of coaches—and the coach, perhaps a little excited by the thought of the big game, says to him: "Well, I don't care, Peter, how many goals you've scored. You're out of the lineup." But then the real calamity hits the coach because Assistant Coach Floyd is looking into the equipment bag—by the way, on the side of the equipment bag it has "Agenda for People"—and suddenly Assistant Coach Floyd says to Coach Bob: "We brought the wrong equipment. None of this fits." Just then, there is a knock on the door. It is time to start the contest. What to do? There is a panic in the dressing room. The previously very supportive crowd begins to boo, albeit quite gently, I might say.

From one coach to another, I might give Coach Bob some advice. First, never put your starting lineup in ink, but more important, you have got to get Assistant Coach Floyd out right away to get some new equipment, certainly within the time for the budget. In the meantime, Coach Bob, you are going to have to go into the arena, take the mike, tell the crowd you are sorry, you brought the wrong equipment for the game, you are changing the starting lineup, you are not sure what to do. Floyd will be back in early April; in the meantime, everybody just stay patient.

### HIGHWAY SAFETY

**Mrs Cunningham:** Highway 401 between Woodstock and London has become a death-trap. In the last six years over 600 people have been injured and more than 25 people have died as a result of car accidents that have occurred on this stretch of highway; six people have died this year alone. These statistics are horrendous. We are all saddened to have to mention them here today in the House.

The former government, in the summer of 1989, announced funding for the construction of median barriers with a completion date of 1996. In January of this year the new minister announced that the construction will be completed by 1995, at least a year ahead of schedule. But this is not good enough. The completion date is still four years away. The statistics warn us in four more years, if trends stay the same, we are here to witness 400 injuries and as many as 17 deaths. We are witnessing these events to happen before our very eyes.

In 1989 a coroner's inquest recommended that "road widening and median barriers be constructed immediately with a projected completion date of 1991." A coroner's inquest, 1991—that is now, and we need action now. On behalf of citizens who travel that highway, I am urging the government to accelerate the construction so more lives are not lost.

### CURLING CHAMPIONSHIP

**Mr Christopherson:** It is with much pride that I rise today to advise the House of the success of the 1991 Brier, held in the city of Hamilton at our famous Copps Coliseum, which is situated in my riding of Hamilton Centre. From all accounts, the Brier was an overwhelming success for our city as well as the 1,200 volunteers who participated from across Ontario. Many of these volunteers took a week's vacation to work 14-hour days, and on behalf of the people of Hamilton I would like to thank them for their tremendous contribution to the success of this Brier.

This Canadian curling championship event brought millions of dollars into the city of Hamilton as well as the surrounding communities. The Copps Coliseum was also the first in the history of Canada to accommodate six sheets of ice simultaneously.

In addition to the tens of thousands of people who attended the event and the hundreds of thousands of people who watched it on Canadian television, I am advised that the event will also be shown on the Suncoast cable network in the United States. All of this, as Gabe MacAlouso, managing director of the Hamilton Entertainment and Convention Facility Inc, says, "makes Ontario shine with the help of Hamilton."

### AUTOMOBILE INSURANCE

**Mr Chiarelli:** The NDP government was elected on the basis of its vocal criticisms of the Liberal no-fault insurance scheme and its repeated promises to scrap no-fault and to restore full tort. The restoration of tort has been a focal point of the NDP agenda since 1987. Even in the agenda for power the NDP repeated its criticisms of the Liberal no-fault scheme.

However, the recently dismissed Minister of Financial Institutions said today in the Hamilton Spectator, "I'm as concerned as you are that we might be drifting away from what were long-held commitments to a public auto insurance system that guaranteed access to courtrooms for victims along with no-fault benefits for all injured persons."

Indeed, the Premier stated in this House on Monday that his government is currently reviewing its options and that no decisions have been made.

Now that the NDP has taken power, we have seen nothing but policy delays and failure to act on the part of the government. The Premier himself has admitted that no decisions have been made yet. When will the Premier admit to this House and to the people of Ontario that his government has abandoned its commitment to the restoration



of full tort and that the NDP's much-touted opposition to the concept of no-fault was nothing but an agenda calculated to win votes and gain power?

1340

#### FISH AND WILDLIFE MANAGEMENT

**Mr McLean:** My statement is for the Minister of Natural Resources. It concerns his recent decision to transfer approximately \$1.4 million from the ministry's fish and wildlife budget to clean up Great Lakes pollution hot spots. The minister's move to slash the policing of poaching and the closure of three fish hatcheries is unjustifiable and jeopardizes the future of this province's natural environment.

The minister's plans to close the hatcheries, to cut the restocking of coho salmon and muskie in Ontario and slash 10% of enforcement duties from conservation officers clearly goes against his government's stated commitment to the environment. I have no doubt that the cleaning of the Great Lakes should be a priority of this government, but it cannot trade off the value of Ontario's fish and wildlife to achieve it.

The minister claims that the fish and wildlife cutbacks are needed because of recessionary pressures, but I would like to inform him that hundreds of anglers already provide plenty of funding to conserve fish and wildlife through the purchase of licences and sales tax. He knows the hatcheries at Deer Lake, Skeleton Lake and Codrington should have been updated, not closed. The closures will seriously affect the future of Ontario's fish resources.

I urge the minister to reverse his policy and stop playing shell games with the environment and our natural resources.

By the way, why does the minister not announce today his parliamentary assistant's findings on the moose lottery in the province of Ontario?

#### CITY OF SAULT STE MARIE

**Mr Martin:** As members are well aware, Sault Ste Marie is confronting a great economic challenge. Recent media attention presents my constituency as a city on the verge of total collapse, a near economic wasteland. Today I want to tell members that Sault Ste Marie is in fact very much alive and well and, with the assistance of this government, working hard at recovery.

We as a province must remain optimistic and hopeful that the future of our province and places like Sault Ste Marie will once again be filled with vision and promise. We in the Sault have many wonderful attributes and skills that are not always recognized by government and financial institutions. As a city, we recognize the reality of our present predicament and we are responding positively with the many resources at our disposal.

There is potential both culturally and economically. We have a well-respected industrial sector; we are the centre for forestry research in Ontario; we have the Ontario Lottery Corp; we have a college and university that have both proven themselves visionaries and to be very much of and for the community.

Our tourism industry potential is unlimited, especially given our close proximity to larger centres in both Ontario and the United States and, most important, the magnificent natural habitat that surrounds my community.

We must now take the practical steps to work co-operatively for a strong community. Evidence of this comes from a newly appointed task force examining the future of Algoma Steel. Also, our local politicians and community leaders have dropped their traditional differences to come together in a roundtable co-operative venture.

I want to take this time to thank the government of Ontario for supplying us with the resources to carry on this very hopeful and creative answer to this challenge.

#### WATERFOWL MIGRATION

**Mrs Fawcett:** With the long-awaited arrival of spring at 10:02 tonight, an old rhyme comes to mind: "Spring has sprung, the grass has riz, I wonder where the birdies is." Well, I am going to tell members where the birdies is: Presqu'ile Provincial Park in Brighton.

For the last 16 years, and again this year, a very special event takes place in Northumberland at Presqu'ile Provincial Park, the welcoming back of the migrating waterfowl. Presqu'ile is world renowned for the birdwatching opportunities it offers, and many people take advantage of the number of days set aside for the viewing of this natural phenomenon.

During this coming weekend, and also Easter weekend, there will be telescopes set up from 10 am to 4 pm, with skilled observers to assist you with the identification of the birds, the purchase of books, and free coffee.

Last year, over 6,000 visitors had the chance to see over 20 species of waterfowl. It is not unusual to see flocks in excess of 11,000 scaups as well as many types of ducks, geese and mute swans. If you are lucky, you might catch a glimpse of the tundra swans as they migrate through.

This is a natural wonder which I would encourage everyone here and right across this province to witness. Please come to Brighton, visit the park, see Northumberland and enjoy the spring sights.

#### CONCENTRATION OF LAND OWNERSHIP

**Mr Tilson:** My statement is on the planning fiasco in York region. As opposition leader, the member for York South persistently called upon the former Liberal government to launch an immediate commission of inquiry into concentration of land ownership in York region, but now as the flip-flop Premier, he was quoted in the *Globe and Mail* on 27 February 1991 as stating: "I don't have anything to announce on it. When I do, I'll let you know." That was then, this is now.

When it comes to an inquiry into the development of industry in York region, it seems that the flip-flop mentality has also been adopted by his faithful ministers. On 23 November 1989 in the *Globe*, the then opposition leader stated: "This is not a question of criminality. The question is whether there is adequate protection for the public." Now, on 28 February 1991, the Attorney General was quoted in the *Star* as stating: "Drafting terms of reference



the inquiry is a very difficult task. We want to be careful that we do not interfere with the police investigation that is going on." That was then, this is now.

On 23 November 1989, the then opposition leader asked Premier Peterson, "What is it going to take for this government to understand that it is sitting on a problem, that it has a responsibility to do something about it?" On 13 February 1991 in the Star, the Minister of Municipal Affairs said, "I certainly hope that we'll be able to get things rolling before the end of the year." That was then, this is now.

I leave members with a final thought from the former opposition leader. Why is his government afraid of an inquiry into the concentration of land ownership in York region?

#### SHEPPARD SUBWAY

**Mr Perruzza:** Two days ago, the member for Oriole made a statement in the House in which she spoke about the Let's Move transportation proposal as it relates to the construction of the Sheppard subway line.

As many members here will know, the Sheppard subway line will cost in the neighbourhood of \$2 billion. Approximately \$1.5 billion of this cost will be picked up by the taxpayers. North York city council and a consortium of private development interests have spent and are spending enormous amounts of money to rationalize the construction of this otherwise not-so-pressing Sheppard subway line.

Traffic in the east end of the city of North York is nowhere near being at its peak. A Sheppard subway line at this time only serves private conglomerate development interests that have land banked along the Yonge-Sheppard corridor. They are now spending millions of dollars which they will later regain 10-fold in density boosts at local residents' expense. This consortium is now using the public vehicle of North York city council to serve its objectives. This is not a healthy relationship for the residents we are expected to serve.

The Sheppard subway line proposal was the last item, even on the Liberals' Let's Move announcement proposal, and we all know the close ties that the Liberals had and continue to have with the big developers of this province.

In my and the experts' view, the most important transportation initiative of the Let's Move announcement is the York University-Spadina-Yonge subway loop. Traffic in the west end of the city of North York is at its peak. In fact, in many areas we are at gridlock.

In closing, York region is ever-expanding in—

**The Speaker:** Wonderful.

#### VISITORS

**The Speaker:** Before continuing, members may wish to welcome in our midst today two former members, both of whom served for a long time in this House. Seated in the members' gallery are Jack Riddell, former member for Huron and Ray Haggerty, former member for Niagara South.

In addition, I notice that the former member for Downsview, Mr Di Santo, is seated on the other side of the other gallery.

#### MINISTRY OF REVENUE

**The Speaker:** Yesterday the honourable government House leader rose on a point of order regarding the use of the word "deceived" that had been used by Mrs O'Neill a few minutes earlier. I have had a chance to check Hansard and have satisfied myself that the use of that word yesterday did not constitute a breach of our standing orders.

1350

**Mr Turnbull:** On a point of order, Mr Speaker: I would seek unanimous consent from the House for a statement on the return of the troops from the Gulf.

Agreed to.

#### CANADIAN FORCES OVERSEAS FORCES CANADIENNES OUTRE-MER

**Mr Turnbull:** It gives me great pleasure to arise on behalf of the PC Party of Ontario in the House today and to offer tribute to our armed forces personnel who are returning from their duty in the Gulf. These young men and women deserve our heartfelt praise and congratulations for a job well done. They were sent into a volatile situation, and no one, not even their commanders, or indeed the politicians and generals, knew what was going to happen.

Our troops were in the Gulf to carry out the mandate of the United Nations against flagrant aggression. They performed their duties with true professionalism, a professionalism which was admired by all members of the coalition forces. We fully support our troops in their endeavours. They were given a job to do, and as a nation we are extremely proud of the way they conducted themselves.

The fighting in the Persian Gulf has ended and the leaders of the coalition must turn their attention to bringing peace in the area. It is an awesome task that lies ahead. However, today we want to take the time to rejoice with the families and friends who have their loved ones back home again, and again, to our returning troops we say, "Thank you for a job well done."

**Hon Mr Rae:** I want to express on behalf of my party and the government our sense of joy and relief that the troops are back. One can only imagine the combination of a sense of pride and service and also an enormous sense of anxiety which must have brought, and I am sure we know did bring, hundreds of families together across Canada.

My views with respect to the war are a matter of record, but I have also said on every occasion that, regardless of that, we feel a sense of solidarity and a sense of real concern and relationship with those people who were there and who worked so hard on behalf of the United Nations' forces and on behalf of the country. I can certainly say it is good to have them back.

**Mr Morin:** On 20 December 1990, I asked the members of this Legislature to pause and pay silent tribute to our Canadian troops serving in the Persian Gulf, far from their loved ones. As a Canadian and a veteran of the Korean conflict, I am proud of our armed forces. These young people serve their country well.

The war is now over, and each and every Canadian soldier will come back home. Of course, we all know that



other countries were not as fortunate as Canada. I feel a great sadness for those whose families have been devastated by the loss of their loved ones.

We do not seem to learn from our past experiences. We have the strength and the capacity to destroy the whole world. We need to use this power, these talents, to create a better world, working towards positive rather than self-defeating ends.

Although combat may have ceased, it will take years to clean up the aftermath. The environment has been permanently scarred, cities left in rubble. Mankind has not yet learned to live in peace. A commitment for peace must be universal, for war and destruction and damage to the environment have no geographical boundaries. Let us work together towards improvement. It is our collective responsibility.

Monsieur le Président, nous sommes heureux que nos troupes militaires nous soient revenues saines et sauves. À tous nos camarades militaires, nous vous sommes très reconnaissants de votre engagement, de votre dévouement et de votre loyauté vis-à-vis votre pays. Merci.

**Mr Poirier:** I would like to seek unanimous consent to say a few words about the passing of Vic Newman.

Agreed to.

#### VICTOR NEWMAN

**Mr Poirier:** I bring to the attention of the House the sudden death of a member of our television crew and of a good friend. Victor Newman passed away on Monday.

Vic was one of the first cameramen hired when television was installed in the Legislature in 1986. Here at Queen's Park, our television system is unique. All cameras are remotely controlled and each cameraman is responsible for at least two and often three cameras. For Vic, this new challenge presented no problem. In fact, he proposed some changes and alterations to the camera control system that were adopted by the manufacturer.

Vic's career in television spanned over 30 years and had many similar experiences. In the 1970s he helped to develop a gyroscopic camera mount for use in helicopters. In the 1960s he was part of the team that built Canada's first portable television camera. As a freelance cameraman, Vic worked for all of the TV networks and most production companies. As chief cameraman producing a musical or variety program, Vic had no equal. There are numerous stories of directors who would not work with any other cameraman and would postpone their production until Vic was available, and often he was not available.

Vic had two other occupations that kept him very busy. He was a professional musician and a yacht designer and builder.

Like many young Englishmen living in Britain during the war, Vic joined the Royal Navy as soon as he was old enough and so began his love affair with the sea and sailing. Vic built three sailboats and was in the process of completing his fourth, a 42-foot trimaran.

As a musician, he was inspirational on jazz guitar. As with his choice of camera work, Vic would only work with musicians he respected and whose company he enjoyed. His music will be sadly missed.

The Vic I knew also was the outgoing Englishman standing at the door of the Legislature with a group of friends, enjoying a bit of fresh air and some other habits—and we all know what that one was; that is why he was outside with us. Vic would chat to everyone, not as a group, but individually. He would tell a story or joke, usually very well, and of course, like me, he was an avid fan of Monty Python, which made him a great person. He would comment on how the debates were going in the House. In a few minutes, he would stub out his cigarette and he would say to us: "Got to get back to work. Someone has got to keep an eye on you politicians."

I would like to extend condolences and sympathy to all of Vic's family and friends from his colleagues and the members of this Legislative Assembly.

**Mr Eves:** On behalf of our party, I would like to rise and extend our sincere sympathy and condolences to Vic's family and friends.

Victor Newman was certainly an integral part of the camera and television system here at Queen's Park, which I think is among the best, if not the best, anywhere in the world. Making us look good is a difficult task indeed, and a challenge for even Vic in the years gone by.

**Mr Elston:** Speak for yourself.

**Mr Eves:** "Speak for yourself," the honourable House leader for the official opposition says. Well, I am speaking for myself, as well as, I think, a great many other members.

I think sometimes we forget about the human element of the people who make this place operate and help us in our day-to-day duties as members, and I think that we forget about the more human aspects of the individuals who work here, such as the fact—and it has already been mentioned—that Vic was a great musician, a professional musician, at that, and a great yacht designer, boat builder and sailor. He indeed will be sincerely missed around these premises, but he will never be forgotten.

**Hon Mr Rae:** I rise to join in the tributes to Vic Newman, who is a fellow member of the same union, the Toronto Musicians Association. I say this out of affection, because that was one of our connections. We used to joke about the music world and our relative associations with it, and mine remains much more relative than Vic's.

1400

We have a marvellous TV service. Without wanting to take away from any other, I think it is the best in the country. The professionalism, the talent, the dedication, the enormous interest and humour of all those who take our pictures and strive to make it as comprehensive as possible have been a marvellous experience for me in opposition and now in government, and it is the talent of someone like Vic and the other people who are working with Bill Somerville in the TV service and the broadcast service that I think we need to remember, particularly when we think of Vic's very sudden death on Monday.

He was a marvellous raconteur. He was a very, very friendly man. He had friends on all sides of the House and in all walks of life. He knew the people who worked in the restaurant. He knew the people who worked in the



retaker's department. He knew the people who worked all the aspects of this place that make it work. I want to join with others in paying tribute to Vic, in saying to his family that their loss is ours as well and that we are all going to miss him.

**The Speaker:** Your very kind and thoughtful comments will be sent along, along with our deepest sympathies, to the family. I might add that Mr Newman was indeed a very talented and dedicated professional whose abilities, as well as his personality, will be deeply missed. We will extend our deepest sympathies to his family.

## STATEMENTS BY THE MINISTRY

### RETAIL STORE HOURS

**Hon Mr Farnan:** I rise to inform this House that the Ontario Court of Appeal has upheld the constitutionality of the Retail Business Holidays Act. This of course is the provincial legislation dealing with the days of operation of retail stores in Ontario.

The Retail Business Holidays Act requires most retail stores to close on Sundays and other enumerated holidays. There are exemptions, including those for certain types of stores, essential services and a Sabbatarian exemption for those who observe a day of worship other than Sunday.

I wish to inform the members of this House that the Ontario police are being instructed to enforce the law immediately. This timely decision restores the Retail Business Holidays Act as the law of Ontario.

The retail establishments that have announced their intention to open for business on Good Friday should understand that it is our intention and responsibility to ensure that this law, like any other, is respected and observed. This applies of course to the other statutory holidays as defined in the act, including all Sundays. We expect retailers to comply with the law.

In addition, the court decision provides our government with a basis to improve the legislation so we can further promote the common pause day. The people of Ontario deserve legislation that can be clearly interpreted and fairly applied. In this regard, my ministry is preparing proposed amendments to the Retail Business Holidays Act for the consideration of cabinet.

We are also engaged in a thorough analysis of the Court of Appeal decision and we are concluding consultations with affected groups from across the province. These discussions have involved representatives of the ministries of Labour and Tourism and Recreation.

Public input continues to be vital. Our government is committed to an open, consultative process which gives Ontarians a strong voice in shaping the policy of their provincial government.

### MOOSE TAG LOTTERY

**Hon Mr Wildman:** Partially in response to my friend the member for Simcoe East, I would like to inform the House that the Ministry of Natural Resources will not introduce a group application system for hunters applying to Ontario's moose tag draw until 1992.

A public review of Ontario's moose tag allocation system was conducted this winter by my parliamentary assis-

tant, the member for Cochrane North. This review showed that a group application system will address many of the concerns that hunters have in resolving the current system of allocating moose tags. But the meetings across the province also demonstrated that to ensure a group application system works effectively, the ministry needs to do more to educate, and learn from, moose hunters about the moose draw system. Introducing a group application system for the 1992 hunting season will provide enough time for the ministry staff to fully discuss the system with hunters.

As members may know, Ontario introduced a selective harvest system for moose in 1983. Through this program, the provincial moose population has increased significantly over the past eight years.

More than 4,000 persons attended the review meetings. Hunters made several hundred oral and written submissions, including a number of valuable suggestions about the current tag draw and the group application system. I expect many of these comments will be addressed in the final report and recommendations of the member for Cochrane North, which he will submit to me in early May.

Some hunters feel that the system and the random computer draw used to allocate moose tags does not distribute the tags fairly. The public review sought feedback from hunters about a proposed group application system and how it will help to lessen the frustration of hunters who have been disappointed in the past. A group application system will improve the overall distribution of tags by eliminating the chance that several members of the same group might receive tags in the draw while other groups received none.

I made a commitment when this review was announced in the House in December that we would make an announcement in March, that we would indeed announce in March the results of the system, and we are now fulfilling that commitment, thanks to the parliamentary assistant's efforts. The review indicated there are a number of questions about how the system would work that must be answered before it can be implemented.

I would like to thank my parliamentary assistant for his efforts in conducting this review. On his behalf, I would like to thank everyone who participated in the review and extend thanks to the 14 communities where the meetings were held. I believe the review was a positive process that will lead to an equally positive result and I hope that members will recognize that in the hunting community across Ontario, and particularly in the north, this is indeed an important issue that the members of this House should consider seriously.

## RESPONSES

### RETAIL STORE HOURS

**Mr Curling:** How I am delighted today to see that the Solicitor General is supporting our legislation. We do think it is incumbent upon him, though, to outline his future intention regarding the legislation.

The Premier, before the election and during the election and after the election, in the throne speech, outlined his intention to introduce amendments which would ensure a province-wide common pause day, but I notice the minister



is slipping out of that easily. Yet the Solicitor General, as he said, is circulating a policy paper which he talks about, which outlines three proposals. None of these proposals comes close to the establishment of a province-wide pause day, none of these proposals takes the responsibility away from the municipal government for making the fundamental decision about Sunday shopping in the community and none of these proposals fulfils the government's election promise of "that was then and this is now."

While we do not support the government's election promise and the throne speech promise, we do feel that the government should come clean on whether or not it is going to keep its promise to the people of Ontario. If this policy paper is a clear outline of the government's direction, the government is once again going to break another election promise. Only this time they cannot hide behind the recession; this time they must take full responsibility of the policy reversal. More than any time, the minister needs his rubber duck, or his rubber chicken, or would he know the difference?

1410

**Mr Sorbara:** I remember it was three years ago when the now Premier of the province of Ontario went around to virtually every community and said that our legislation providing for a municipal option for Sunday shopping would threaten family life and destroy communities. He campaigned against that legislation like he campaigned against no other legislation. And today the Solicitor General stands up and expresses delight that the legislation has been upheld. But what we did not hear from the Solicitor General is what the government is going to be doing about the hundreds and hundreds of retail workers who as of this coming Sunday will no longer have the opportunity to work. What is the government going to be doing about the communities like Windsor and Niagara Falls where a good number of shoppers are now going to be crossing the borders on Sunday?

He suggests that there is going to be a consultation process. There are men and women who have come to rely on the situation that has arisen and the government has said absolutely nothing about those workers. They have said nothing about border communities and they have said nothing about what it is that they propose to do. They have had months to prepare legislation and the Solicitor General comes into this House and says that he is going to consult. They promised a common pause day. Apparently we are not going to have that, nor help for retail workers, nor anything else.

#### MOOSE TAG LOTTERY

**Mr Ramsay:** I am very disappointed today that the Minister of Natural Resources failed to introduce a group application system to reform the whole moose hunting system, disappointed because we had started that consultation about 18 months previously.

To be fair to the new minister, it is his prerogative and right, as a member of a new government, to examine all policy initiatives that he inherits, and so on 12 December he said he would consult with the people of Ontario. In fact in that consultation, carried out by his parliamentary

assistant, the hunters of Ontario who hunt this particular commodity have agreed with this system, that it is a good system. But in fact in the minister's announcement about this consultation on 12 December, the minister then said in the House, "Should the ministry decide to introduce a group application system, it will be put in place in time for the 1991 season."

It is apparent that the paralysis of this government is continuing, that the time frames are shortening of the action of this particular government, and in fact the time frame of "that was then and this is now" is becoming terribly short indeed.

#### RETAIL STORE HOURS

**Mr Carr:** I was hoping that as a result of the action today with the court ruling it might have spurred the government to some action—nothing else seems to have, on a couple of issues—but I guess not. The status quo seems to be acceptable to the Solicitor General. As we get into this and some of the new amendments come out, we are going to be anxious to find out exactly what is going to happen in the area of tourism. We are going to be anxious to know what is going to happen to those border towns that right now are already reeling under the situation with people going to the United States.

Now the courts have given the right to uphold the Liberal legislation. We are going to look forward to what those amendments will exactly be, now that the court has upheld that ruling. I will make a quote that the Premier made. This is a campaign release back in 6 July 1990. "How Scott could ever have thought that he would get a stay of the earlier judgement is beyond comprehension, and if he thinks his appeal has any chance of success, he is hiding from the facts." I think we know why the Premier is no longer a lawyer. He also said, "The ones who are going to have to pay for this government's cowardly arrogance are the families in Ontario." But that is from an NDP communiqué, and in this House we do not need them anyway.

There is another one here that says, "It was an embarrassing moment for the Liberals a week earlier when Solicitor General Joan Smith, the minister responsible, said the municipal option was the chicken way out of dealing with the issue." She was right. Now what they are doing is consulting, but this was from 18 August NDP election propaganda, so I guess that is out.

We do not need it anyway. I am not going to keep them. They are filling up my cabinet. We do not need them. I am going to clean it all out because it does not matter any more.

As we sit here today, we have more consulting. We have got a situation now in a recent press release coming out where we are going to prosecute the people for opening on Sunday. We have a store owner who already has a sign up saying he is going to be open. Here is a man who is doing it based on, I guess, some type of conscience. Maybe the Premier will think that if somebody opens on Sunday and does that as a result of conscience, it is okay. As we talked about in conflict of interest, if you do something on conscience it is okay, but if you do something and



break the law, there is going to be no penalty and in fact you can stay a member of the caucus here.

As we sit here today we are no clearer. In the throne speech we heard very clearly they were going to bring in legislation. Now we are back to consulting, and this statement here is similar to what the NDP's election promises are.

Quite frankly, I do not want to litter this House, but we do not need to keep them. We do not need to keep them any longer because they are totally useless.

The one issue that was not going to cost any money to us now we are back to consulting on. Terry O'Connor, my predecessor, went around this province continually talking about it. We consulted. The Solicitor General should just stand up and do it. I believe my leader would like to add a few remarks to this as well.

**Mr Harris:** We have heard this commitment from the Premier and this commitment from the NDP: (1) We will have a common pause day for workers in this province. (2) Any law we bring in will respect the problems faced by border communities.

Since 90% of the population of Ontario live within an hour and a half of border communities, we look forward to this law for 10% of Ontarians and to seeing whether this government can live up to those two commitments.

#### MOOSE TAG LOTTERY

**Mr McLean:** I would like to comment briefly on the statement made by the Minister of Natural Resources. I had occasion to attend the conference in Thunder Bay, and there were many people there who dealt with the very issue that the minister discussed today. Some 4,000 people have been looked at, there have been reviews, there have been submissions. I think there are an awful lot of members of the Ontario Federation of Anglers and Hunters out there who are very unhappy that it was not proceeded with this year.

We understand that Rick Morgan agrees with the minister's position, and I believe the only reason he agrees with it is because of the mess that was made of the whole process up to and leading into the results that have come out of it. The announcement today really does nothing. What the minister is announcing is that he is doing nothing, and the anglers and hunters I am sure are going to be very disappointed with this announcement.

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#### ORAL QUESTIONS

##### AGRICULTURAL INDUSTRY

**Mr Nixon:** I have a question to the Premier dealing with agricultural policy, and particularly his commitment before the election to support this particular part of our economy. The Premier will be aware that Statistics Canada predicts a 15% drop this year in the revenue for agriculture and while the Premier is talking to the Minister of Agriculture and Food two rows back, this deals with the keeping of the promise—nothing the Minister of Agriculture and Food could do—in fact perhaps the question might be directed to the Treasurer if the Premier felt it was appropriate.

Last Friday, in one of my other responsibilities, I visited a neighbour in Onondaga township and purchased soybean seed for 80 acres. I went to another neighbour in South Dumfries township and arranged for corn seed for 60 acres. I am glad to say, because of off-farm income for myself, however inadequate that is, I was able to write the cheque. But with the prospects economically facing the farmers of the province this year, they are clearly wondering what has happened to the NDP commitment for the kind of credit support that was a part of An Agenda for People and was a firm promise made by the Premier on behalf of the NDP.

Can he indicate what the status of that promise is and when the farmers might expect the implementation of the commitment for credit assistance?

**Hon Mr Rae:** I want to answer the question directly. The Minister of Agriculture and Food has been doing a tremendous job on behalf of this government. He has worked enormously effectively to bring these issues to the attention of the whole government and to the whole cabinet. These issues, the issue of support on the credit side and support on the income side and income security programs that have been negotiated with the federal government, are under constant consideration by this government. I should tell the Leader of the Opposition that my view is that the most likely situation is that these will be announced at the time of the budget.

**Mr Nixon:** I think the federal government deserves some considerable credit for taking the initiative in programs that are going to assist farmers across Canada, but the payment from those particular programs will not come into the pockets of the farmers until at least the end of this growing season. While the Treasurer of the province contemplates his decisions for the budget which may come down in April or perhaps May, the decisions made by the farmers are being made now, in fact I would say this weekend. I think it is an indication perhaps of the insensitivity of the Premier and the members of his government that they are not aware of that.

Mr Speaker, you would be aware, having run on this platform, that there was a clear commitment to \$100 million of credit. The government has been in office more than six months. There has been no indication in the speech from the throne, and if it comes in the budget it will be too late for this growing season, of any sort of a rational implementation for that unless the Premier were to announce action today or this week. I would suggest that the Premier respond to the realities of the situation rather than to the perceived politics of the situation.

**Hon Mr Rae:** That is exactly what I want to do. I would say to the Leader of the Opposition that whatever regard he has for me, I have considerable regard for him, and that will continue to be the case for many years to come. This is not an issue about which I am either personally or, as a government, insensitive. We are enormously sensitive.

Three of our members, the member for Essex-Kent, the member for Lambton and the member for Frontenac-Addington, were out across the province almost as soon



as the government was elected, discussing with farmers from one end of the province to another problems of—

**Mr Sterling:** It is what you do. Everybody discusses.

**Hon Mr Rae:** Well, I think it is important. I hear some criticism of that, but it seems to me that it is important for that kind of consultation to take place.

I say to the Leader of the Opposition quite sincerely that in view of what he is saying and in view of the views that have been expressed to us by our own committee that went across the province, we will move as soon as it is possible for us to do so. It is not an issue to which we have been or are insensitive, I can assure him.

**Mr Nixon:** I have a copy of the Hayes report, the Agricultural Finance Review, which the Premier has been referring to, and there does not seem to be a commitment to the \$100 million which was the basis upon which many rural electors voted NDP.

When I look at the policy of the minister, I quote from a comment he made to the eastern Ontario farm writers on 5 February 1991 as follows: "We are hoping to find ways in which rural people themselves can play an important role in providing long-term affordable credit for farmers. We want to encourage local communities to take responsibility for the financing of their own farms."

It is a long way from a firm commitment of \$100 million in credit that was put forward by the leader of the NDP when he was in opposition to what he is saying in government. There is no joke about this. They have been in office for six months, they have reviewed this and the government is totally moribund in this matter. When the decision may be forthcoming some weeks from now, it will be useless to the farmers who are presently making this year's decisions. They are already expecting a reduction in their net revenue of 15%. If that were true of any other part of the economy, this chamber would be electrified, but right now the government seems to have nothing but a passing interest in it.

Will the Premier give an indication that there will be an announcement within a week dealing with this matter upon which the lives of the rural community depend?

**Hon Mr Rae:** The fact of the matter is that no minister has done more to present policy and to influence the course of the government than the Minister of Agriculture and Food. The programs which the member has described as federal programs are in fact federal-provincial programs. I would say to the Leader of the Opposition that, surely to goodness, he will understand, in light of the situation we are facing today in terms of the overall economic picture, the importance for the government to consider all the new initiatives together as we consider what we can do in the next fiscal year. That is exactly what we are doing; that is what the member would have done and that is what he did; and that is exactly what we plan to do.

**Mr Nixon:** Support of the farm economy is not a matter of weighing priorities. It is a matter that is essential and the Premier should be aware of that.

## HIGHWAY CONSTRUCTION

**Mr Nixon:** I have a question for the Minister of Transportation, and it deals with a decision to cancel the Red Hill Creek Expressway. I quote from a letter the minister wrote to the regional chairman on 7 February. In part he says: "We understand that our decision"—that is, the decision to cancel—"will have a substantial impact on the community and we are prepared to sit down with regional officials to work out transportation alternatives."

Is the minister aware that investigations by the Hamilton Spectator and its representative in our press gallery have indicated quite clearly that the minister was informed by his officials that any alternatives to the cancelled route were, in the words of the advice the minister received, "not only impractical to build but environmentally unsound"?

**Hon Mr Philip:** When I became minister, I obtained information from a variety of sources, including technical information from my regional staff. That technical information also pointed out that there were environmental downsides to proceeding with the expressway through the valley.

Our government, our cabinet, used parameters that were different from what the Liberal cabinet used in looking at this project. They were parameters that placed a high emphasis on the environment, and, considering all of those parameters, the cabinet made a decision not to proceed with that particular portion of the expressway.

**Mr Nixon:** Mr Speaker, I would simply ask the minister to balance the two pieces of information that I have put before you, sir: the one in which the minister said on 7 February that he was going to talk about the transportation alternatives and the other in which the freedom-of-information material published in the Spectator states clearly that the information provided by the impartial experts in his ministry indicated that all alternative routes to the Red Hill parkway are "not only impractical to build but environmentally unsound."

The honourable minister would recall that when he announced the cancellation he said that it was a moral decision. What is the morality in saying to the officials in Hamilton-Wentworth that he is going to discuss route alternatives when he was told three months before by the officials that there were none?

1430

**Hon Mr Philip:** At this very time my staff have been meeting and have had several meetings and are continuing to meet with the staff of Hamilton-Wentworth and are looking at the transportation needs of that area. When we cancelled the funding of that portion of the expressway for what we considered as a cabinet to be sound, environmental concerns which the previous government did not consider; when we made that decision we assured Hamilton-Wentworth that the money was there to develop other alternative proposals for transportation needs in that area and we are proceeding to do that.

**Mr Nixon:** Since this decision has been marked by some of the worst earmarks of political cronyism: the transmission of cabinet secrets to NDP supporters in the community; the fact that the honourable minister, according to



published reports, knew full well there were no alternatives and yet said to the local officials that he was considering them; would he not think that his actions are seriously inappropriate and would he not think that the edge of all judges might turn his laser gaze on this minister and snuff him out of office because of the inadequacies of the performance of his duties?

**Hon Mr Philip:** I have checked my pulse and the answer is no.

**Mr Harris:** I have a question for the Premier concerning the Red Hill Creek Expressway decision. This was a decision that his Minister of Transportation previously said was a cabinet decision. Today he has repeated that, that cabinet took a decision based on the information that it had before it.

I would like to ask the Premier if, in fact, when he, as leader of his cabinet, made this decision, he had the information before him that has now come to light through the Freedom of Information from the ministry, that studies showed that the least environmentally problematic solution was in fact the Red Hill Creek Expressway, and that the alternatives his minister said that he was prepared to explore were not only considerably more expensive—one of them that he proposed is of no benefit at all as an expressway—but in fact would cause more environmental disruption than the Red Hill Creek proposal? Was that information available to him in cabinet?

**Hon Mr Rae:** I am going to refer that question to the Minister of Transportation.

**Hon Mr Philip:** There was no doubt in the minds of the cabinet that the cheapest transportation route was through the valley. But other considerations, considerations provided not just by my regional staff but by others, were that to take that route would have other costs, grave environmental costs, and we decided not to take that route. It was a cabinet decision. I am proud of that cabinet decision.

**Mr Harris:** What I think it is important to know—since the people in Hamilton were not given the information, they had to use the Freedom of Information and Protection of Privacy Act to get access to it—is whether the information was before the cabinet that in cancelling the Red Hill Creek Expressway option and saying that there were alternatives such as Highway 20 and the Fruitland Road, were they aware of the fact that he had information, his ministry had information, that those alternatives, never mind the cost, were environmentally more unacceptable than that which he cancelled?

**Hon Mr Philip:** That certainly would not be the position of environmentalists; that certainly was not the position of the chairman of the consolidated hearings board, which wrote a dissenting report. Indeed, the cabinet looked at a variety of information and decided that the decision it was taking was the right decision in the light of environmental considerations. We stand by that.

**Mr Harris:** I would like to ask the minister this, and he may want to refer it back to the Premier, where I started. If he wishes to do that, of course he can do that. If he does not wish to do that—

**Hon Mr Wildman:** You cannot do that. It is the rule.

**Mr Harris:** Oh, is that a no-no? Is that morally unacceptable? I am sorry.

Aside from the fact that we now find out that the alternatives are either not alternatives at all or they are environmentally unacceptable; aside from the fact of the costs involved, the minister has continually claimed that he has stopped this project for environmental reasons.

I would like to ask the minister why it is, then, that he has told the region, "You can go ahead and build this expressway through the Red Hill Creek area," that in fact there is no environmental reason that he has said they cannot build it, that all he has done is remove a firm commitment for funding that they had and cancelled that retroactively. If it was environmental consideration, can the minister tell us why the region can go ahead and build this if it wants?

**Hon Mr Philip:** In response to the first question, the House rules do not allow me to refer it back to the Premier. In response to the second question, to the leader of the Conservative Party, I can tell him that I have no legal right to stop the expressway. It is a Hamilton-Wentworth expressway. It is their project. What I do have the right to do as the Minister of Transportation, and what we have a right to do as a provincial cabinet, is to fund or not fund a project. This particular project we are not prepared to fund because we think that it would be environmentally damaging and we think that would be hypocrisy compared to the program that we got elected to office on.

#### AUTOMOBILE INSURANCE

**Mr Runciman:** My question is for the Premier as well and it deals with auto insurance. There is a rumour that, following the firing of the member for Welland-Thorold, insurance executives across this province were saying, "Bob Rae, you've made our day." I want to review some of the Premier's commitments made in respect to this issue.

Last November the Premier told the Toronto Star, "There will be fair access to the courts." He told the Globe and Mail, "The new legislation was to ensure that people get the right to compensation for pain and suffering." Will the Premier confirm that those are still his views and that they will be reflected in the auto insurance policy the government introduces?

**Hon Mr Rae:** I want to answer the member for Leeds-Grenville as directly as I can. At the same time I hope he will appreciate, having been a member of a government, and he will know that it is difficult for me, in fact it is impossible for me, to discuss legislation that is being reviewed in the governmental process and that will be presented to the House in the spring session. That is just a rule of the House.

So I want to say to the member for Leeds-Grenville that we are committed to driver-owned insurance, we are committed to a plan that does justice for people who have been injured and we are committed to a plan which provides the best possible safety on the highway for all the people of the province. That is the kind of plan we are



committed to and that is the kind of legislation that we will be presenting to the House in the spring.

**Mr Runciman:** I suggest that in opposition the Premier would have described that kind of response as weasel words. We have had considerable quotes in the media today and the previous day indicating that some significant players in the cabinet are opposed to the return of the right to sue in this province.

Last December, both the Minister of Housing and the Minister of Health voted against my bill to restore the right to sue for innocent accident victims. We also know that the Treasurer likes pure no-fault, which will completely eliminate the right to sue. Will the Premier indicate whether this no-tort troika not only sealed Mr Kormos's fate but also is pressuring him to back away from his promise to restore the right to sue?

1440

**Hon Mr Rae:** In a word, not at all.

**Mr Runciman:** That adds up to three. I hope we do not have the same problem with the budget.

The bulk of the Premier's caucus supported my bill to restore the right to sue. It appears he is capitulating to these three ideologues, this no-tort trio on his front bench; he is turning his back on innocent accident victims in this province and he is trashing the promises he made to the people of Ontario. The Kormos affair was only a symptom of a much deeper problem. The Premier cannot tolerate criticism from his colleagues, and he is unable or unwilling to give real leadership to this government.

Last year the Premier did not hesitate to see the business of this House held up for weeks by Mr Kormos's filibuster. He did not hesitate to try to share the limelight with him. But now, when he has the power to act, he is hesitating. Was that just a phoney grab for votes? Was that just a ploy? If not, when is he going to keep the promise to Ontarians, exercise real leadership and restore the right to sue?

**Hon Mr Rae:** If I had any difficulty tolerating criticism, I would not have presented myself again as leader of the New Democratic Party just a couple of weeks ago at our convention. It is the bread and butter of political life. The member for Leeds-Grenville and I both know it, and I will say to all members of the House that I expect and indeed—I do not welcome, I do not revel in it but I certainly realize that that is what is going to happen. Let me just say to the members that we are as committed to a reform which will genuinely respond to the needs of people who have been injured in accidents on the road, which will reduce the number of accidents on the road and which will, if I may say so, give to the public the kind of control and accountability in the system which they have never had. They never had it under the Conservative Party when they were in government for so long. They never had it under the Liberals when they were in government. They are going to get it under the New Democratic Party; that is what they are going to get.

## RETAIL STORE HOURS

**Mr Curling:** It is never like the socialists to give all the lovely rhetoric. Sounds good.

My question is to the Solicitor General. Earlier today the Solicitor General in response to the media said he was extremely pleased with the decision of the Ontario Court of Appeal. He also noted that the government would begin immediately to enforce Ontario's Sunday shopping legislation—immediately.

It seems the Solicitor General's memory is extremely short. He does not have one. Approximately two years ago he and his colleagues held as you recall, Mr Speaker—while you were watching at home at the time quite possibly—this Legislature hostage in an all-out effort to stop introduction of the legislation he now intends to enforce. That was then and this is now. During the election the Premier reiterated his concerns with the legislation that the Solicitor General is so delighted with today. The Premier promised he would implement a province-wide common pause day to regulate shopping on Sundays, and yet we now find that the Solicitor General is circulating a policy proposal which, as members know, falls short of this commitment and does nothing to create a common pause day in Ontario. That was then, as it is now.

This is the question: Will the Solicitor General tell the members of the Legislature if this is now the government's policy and if he has abandoned his Premier's election commitment to provide a province-wide common pause day?

**Hon Mr Farnan:** The member is right. I was pleased we got this decision from the Court of Appeal; in that sense he is right. However, the member is wrong in this sense: I will not only enforce the legislation, I intend to improve it.

**Mr Curling:** I am delighted to hear that. In the minister's policy proposal, he suggests that the province revert to the old Tories' exemption policy and a system of special exemption for border communities. These exemptions ensure that certain communities will be open for business on Sundays and that certain workers will have to work on Sundays. Even the Solicitor General will have to recognize this means that the government cannot fulfil its promise of a province-wide common pause day.

Will the Solicitor General come clean? Will he either scrap this policy proposal or tell the people of Ontario the Premier is not going to keep his election promise on Sunday shopping?

**Hon Mr Farnan:** I thank my honourable friend for the question and members should let me say this: It is our intention to consult. It is our commitment to have the most effective common pause legislation, and I am prepared to offer to sit down with the critic for the opposition party and listen to his suggestions as to how he can help me make the most effective common pause legislation possible. I have put that invitation to him. I welcome the support of the member from the third party in working together to get the most effective legislation.



## ECONOMIC POLICY

**Mr Harris:** Seven out of 11 jurisdictions across this country have recognized that their economies are in difficulty, that in fact the private sector is suffering, that as I have said on a number of occasions the brothers and sisters in the private sector unions are hungry, are out of work and need help through this recession. Seven out of 11 jurisdictions have brought in wage restraint programs for those in the public sector, us, the civil servants, the recession-proof jobs that the Premier and the Liberals refer to. Just recently, Quebec has frozen the wages of Quebec public sector employees, for some 450,000 Quebecers so they could have in their case about \$800 million to help those workers in the private sector who are out of work and laid off.

With 200,000 jobs lost in this province in the last four months, can the Premier tell me why in the public sector under Bob Rae it is business as usual? "Carry on inflation plus inflation and don't worry about it. You are in recession-proof jobs. None of this applies to you." And why are we the only jurisdiction carrying on this way in this country?

450

**Hon Mr Rae:** The Treasurer can answer that.

**Hon Mr Laughren:** To the leader of the third party, I recognize the reasons that the other provinces have taken the move they have. However, when it comes to controlling our expenditures, I would prefer that we do so in consultation with those people who help us make this province work. I would much rather sit down with the Chairman of Management Board and the public sector leadership and work out an arrangement in which we regard them as partners in this problem and partners in arriving at a solution than impose the kind of legislation that other jurisdictions have.

**Mr Harris:** Other jurisdictions are coming up with recession policies whereby they are saying those who have these recession-proof, guaranteed jobs will take a little less so that they can help those who are unemployed and hungry. The Treasurer has taken the approach that he will try to help them by increasing taxes or increasing the deficit with his \$700-million recession package.

I laid out last week a basis whereby everybody could get an increase. The Treasurer could still proceed with correcting inequities, and yet he could have \$700 million to fight the recession without increasing taxes and without increasing the deficit by limiting public sector salaries to 2%, not zero, as in Quebec.

**Mr Perruzza:** Come on. You guys created it.

**Mr Harris:** The member is right. The Liberals did create it. I agree with him. They are all the same. I know we cannot get on the agenda to speak, but he is right. It was big spending, high taxing that created it. Now the same problem that got us into the mess is the Treasurer's solution.

I would ask the Treasurer again, does it make sense that those workers who are laid off and have no income are losing their homes—many of these jobs never to return—and should have to continue to pay taxes for a public sector that is getting increases in excess of the rate of inflation

and it is business as usual? Does that make sense to the Treasurer?

**Hon Mr Laughren:** I guess I come at the problem from a different premise than the leader of the third party does. First of all, I do not believe there is any such thing as a recession-proof job in the province of Ontario.

**Mr Harris:** I don't but you do.

**Hon Mr Laughren:** No, I do not believe that is the case. I do not think that is the solution. If I thought that was the solution, it would be a different debate we would be having.

All I would say to the member of the third party is that unlike the federal government, unlike some other governments I think that laying off large numbers of employees—which some of those jurisdictions are doing, which he referred to—is hardly an appropriate response to a recession. I know that the leader of the third party does not like our \$700-million antirecession package, but I think we had an obligation to respond to the recession at least to that amount.

I would reinforce what I said before, that when it comes to dealing with the public sector in the province of Ontario, we would much rather sit down and talk to them as partners in this problem than laying some kind of legislation on them.

## TIRE TAX

**Mr Huget:** This question is to the Minister of Revenue and concerns the provincial tire tax. Many tire retailers and consumers in my riding are concerned about paying the province's tire tax and at the same time having to pay a used tire disposal fee. Could the minister tell me why the \$5 tax is being collected on new tires, and why there is also a \$5 disposal fee?

**Ms Wark-Martyn:** I thank the member for the question. The purpose of the tax, as we all know, hopefully, is to help deal with environmental problems caused by large volumes of used tires discarded in Ontario. The disposal fee he refers to is not a provincial tax, but I assume it is charged either by the municipality or a dealer.

**Mr Huget:** The supplementary is to the same minister. Is the money collected by the provincial tire tax in fact going into the disposal of used tires?

**Ms Wark-Martyn:** There is no separate accounting for the tax collected. It is all entered into the consolidated revenue fund. From these funds, the funding is directed to the Ministry of the Environment.

## POST-SECONDARY EDUCATION

**Mr Daigeler:** My question is to the Minister of Colleges and Universities. We are now into the third week of the strike at Trent University, and so far we have heard very little, only very vague expressions of hope from the minister that the strike will soon be over. I may add we have heard nothing either from the member for Peterborough, which is rather disappointing.

I was at Trent this morning meeting with students to hear how the strike is affecting them personally. They have told me that about half of the students at Trent University



are receiving OSAP assistance. If the school year is in fact extended because of the strike, but OSAP ends with the regular eight months, many students at Trent are either going to be out of money or will have to further increase their debt load. I ask the minister, will he provide the extra OSAP grants for the students who are forced to delay their summer jobs and spend extra unbudgeted time in their classes, or is he going to let the students down again, as he did when he broke the NDP promise not to raise tuition fees?

**Hon Mr Allen:** The member for Nepean managed to get two questions in one. That is a very economical way of doing things, but it is not economical of my time in response.

If I could only refer to the latter, in the first instance I would like to comment that our basic promise to this province was to maintain a university system in as good health as we possibly could and we assumed the students would want to help in that process. We plowed as much government money as we could into a major increase in the funding this year. As far as we could push it, we still could not quite get to the point of a steady state increment for the university system so we asked the students to pay the formula fee in order to meet that objective. I do not think the member would want to see this system drift from 9th place to 10th place out of 10 provinces, as would have been the case if I had followed the kind of advice that is implied in his question.

**The Speaker:** Supplementary.

**Hon Mr Allen:** Mr Speaker, with respect to the first part of the question, if you will permit me to answer the first question he asked me, the first part of the question had to do with what I will do if certain circumstances happen at Trent University in terms of an extended strike in that institution. I am concerned, as he is, with the fate of students and others in that institution and I will only say to him at this point in time that the question is highly hypothetical. My ministry is monitoring the situation. We know what is happening. The mediator is there and the discussions continue and that is as far as I can carry the issue with him at this point in time.

**Mr Daigeler:** This situation and the fear by the students at Trent certainly is not hypothetical. What does it take for the minister to make a commitment today as we did when we were in a similar situation during the 1989 college strike, when we committed ourselves to providing the extra funding towards the students who are caught in the middle, innocent victims of a labour negotiation conflict? What does it take, I ask the minister, to provide the extra OSAP to the students, to make that commitment today to put the students, who are very fearful about losing their academic year already, at ease? Will the minister commit himself today to say, "Yes, if the strike continues, if the school year is extended, we will provide that support for the students because we care for the students"?

**Hon Mr Allen:** I am astonished at the self-righteousness of the question. I recall, at the same stage in the very strike the member referred to in the college system, the Minister of Colleges and Universities at that time standing

up and saying exactly what I said, that as a responsible minister he could make no further response in light of the circumstances of the day.

1500

#### HUNTING IN ALGONQUIN PARK

**Mr McLean:** My question is for the Minister of Natural Resources. The Minister of Natural Resources and minister responsible for native affairs has compromised the separate ministries with his recent announcement that he will allow native hunting in Algonquin Provincial Park. The minister's decision to allow hunting and the use of motor vehicles is contrary to the designated use of the park and seriously jeopardizes its environmental integrity, and it also involves the tourism industry in this province. Why did the minister renege on his promise to the Ontario Federation of Anglers and Hunters to include all interested parties in his government's native resource agreement negotiations before making this arbitrary decision about Algonquin park?

**Hon Mr Wildman:** I thank the member for Simcoe East for raising a very important issue before the House. All of us in this House recognize that Algonquin park is the jewel of the provincial park system and we all want to protect the park's values in that system while at the same time ensuring that we meet the responsibility of ensuring that aboriginal people in this province can happily exercise their aboriginal rights.

I want to assure the members of this House that this is an ongoing process, that discussions are continuing. We are committed to negotiating arrangements which will protect park values in the park, will protect conservation, will protect public safety and will respect the aboriginal rights.

This is a very difficult and complex series of negotiations and a very important one. I want to ensure that the members understand that we have in no way broken any commitments to other groups. As a matter of fact, we are currently involved in consultations with a large number of groups, including the Ontario Federation of Anglers and Hunters, the Federation of Ontario Naturalists, the Friends of Algonquin Park, the Canadian Parks and Wilderness Society and the Algonquin Wildlands League. All of these groups have indicated considerable interest and a great deal to offer in helping us, along with Chief Meness and Councillor Doug Benoit, in these very difficult negotiations. We are continuing to consult as we should and hope to have an agreement within the next 10 to 15 days.

**Mr McLean:** The new Algonquin park management plan was supposed to be released in the fall of 1990. We have not seen that report yet. Why did the minister not table that report before he arbitrarily made this decision? He has indicated to the House today that he has consulted and consulted and consulted. I have not seen any report or any indication of any input from these groups into the decisions that he makes, so where did the minister get his information to make the arbitrary decision before all the public had input into this great master plan?



**Hon Mr Wildman:** The member uses the term "arbitrary," and of course it is his option to use such a word. No final decision has been made.

**Mr Bradley:** Here comes the retreat.

**Hon Mr Wildman:** There is nothing to retreat from. As a matter of fact, this has been an ongoing process of negotiation, one that continues. As a matter of fact, yesterday afternoon my deputy minister and I met with Rick Morgan of the Ontario Federation of Anglers and Hunters.

The members of the Ministry of Natural Resources staff, both at the regional level, the parks level, and at head office level, as well as members of the Ontario native affairs secretariat have been deeply involved in the negotiations, and we are looking forward to a situation where we will be able to respond to a very difficult situation.

I will just conclude by indicating one point: This is a unique situation. There is a unique park to be protected. There is also an aboriginal claim, an aboriginal group of people. The Algonquins of Golden Lake have never signed a treaty. They have a claim which should be negotiated. We are working to ensure that their rights are protected while the rights of all other park users are also protected. It is very difficult and complex. We are consulting but we do not intend to do this in the glare of the public eye.

**Mr Owens:** I think with the bellowing and wailing that is going on in the House today, it is probably quite appropriate that our minister made a statement on moose tags. It reminds one of Algonquin park in spring.

#### PROTECTION OF IN-CARE RESIDENTS

**Mr Owens:** My question is to the Minister of Community and Social Services. Yesterday she made an announcement in the House with respect to safeguards for youth. In reviewing the statement, the changes tend to be systemic in nature. The youth who would be affected by these changes tend not to access the system simply because they do not trust the system. I am wondering what her ministry is doing to ensure first of all that these children are aware of the safeguards and are able to access these safeguards.

**Hon Mrs Akande:** Actually, the document does in fact state that we are working to ensure that children are approached and are made aware of their rights, know about their rights, and that it is done in a way that is appropriate to their age and their level of ability, that those standards are reviewed every year and that we constantly move to ensure that the children are aware of where they can turn and how they can seek assistance for protection, or if in fact abuse has occurred. We are also working with the Ontario Association for Children with Learning Disabilities to implement standards for children with disability, so that in fact they too can have that protection.

#### PLANT CLOSURE

**Mr Kwinter:** I have a question for the Minister of Industry, Trade and Technology. The minister will know that Darwin Smith, the president of Kimberly-Clark in the United States, informed the workers up at the Spruce Falls Power and Paper Co that unless they make a deal with Ontario Hydro by 30 April they will have to shut it down.

The minister will also know, I hope, that there have been overtures to buy this plant, there have been representations made to the governments to have them participate, and to date nothing has happened.

Could he tell me what plans he has and what specifically has he done—not what he is going to do—about this situation to help solve a problem that could devastate Kapuskasing, that could put at least 1,200 people out of work and could be a catastrophe on the magnitude of what is possibly happening in Algoma?

**Hon Mr Pilkey:** I appreciate the question. The question was: What has the government done? The government has created an interministerial committee. That committee has already met with the employee group that wishes to buy the plant. We have also met with the company, as well as Ontario Hydro.

I am very pleased to advise the member that tomorrow, if that is soon enough for him, we will be receiving a business plan from the employee purchase group, which will be going to our interministerial committee as well as the company and Ontario Hydro, so that we might see how we could directly and promptly assist in creating a circumstance there that will limit any potential unemployment or problem that is possible.

1510

**Mr Kwinter:** It pains me to say that we have a minister here who has done absolutely nothing to help alleviate the problem that is facing industry in Ontario. I know for a fact that the minister spends most of his time locked in his office taking naps in the afternoon and does not have the time to meet with the potential buyer for the operation. They tried to meet with him; he did not have the time. Now what he is talking about is an interministerial committee to try a pie-in-the-sky operation. When is he going to start doing the things that he is paid to do and when is he going to start acting like the Minister of Industry, Trade and Technology?

**Hon Mr Pilkey:** I am pleased to respond, as I have previously, that our ministry, along with many other ministries within this government, has been extremely active. We will be receiving the business plan tomorrow and we will continue to act in a very prompt and very aggressive way to try to solve the problem.

#### PURCHASE OF URANIUM

**Mr Jordan:** My question is for the Minister of Energy. Can the minister tell the House if it remains the policy of her party to have Ontario Hydro increase its purchases of uranium from Denison Mines at Elliot Lake, and if so, has she advised Ontario Hydro of that policy?

**Hon Mrs Carter:** I am at a loss to understand what the honourable member opposite means by plans to increase purchases of uranium from Elliot Lake. This whole question is at present under review. It is something that we are extremely concerned about. We are very concerned about the people of Elliot Lake and this government has several ideas under way to make sure, whatever happens as far as uranium purchases go and jobs in the mines are



concerned, that the people of Elliot Lake will suffer the absolute minimum possible.

**Mr Jordan:** Ontario Hydro is presently negotiating with Denison Mines. On one hand we have the Premier telling the province that his government will increase the purchase of uranium from Elliot Lake; on the other hand we have the minister stating that the prospect of continuing the mines is not brilliant, they do not have much of a future. Who are the people of Elliot Lake to believe? The Premier, who promised to increase purchases, or the minister, saying they do not have much of a future?

**Hon Mrs Carter:** I think we all know that Denison Mines is in trouble. This is nothing to do with the actions of the Ontario government. This is a question of purchases from overseas having more or less ceased, so that there are business difficulties there.

The contract with Ontario Hydro is good until 1992. There is no immediate prospect of purchases ceasing. The contract with Rio Algom also continues for some time into the future, but we do have to be realistic and consider what the future of the town of Elliot Lake is going to be.

#### ECONOMIC POLICY

**Mr Duignan:** My question is to the Treasurer. Given the fact that this province is in the middle of a recession due largely to the Tories' friends in Ottawa, to the monetary and budgetary policies which have caused extensive high interest rates and an overvalued dollar, in the Treasurer's statement to this House on 18 March he indicated that the current recession is somewhat different from the early 1980s. I wonder if he could please expand on this.

**Mr Offer:** Expand, Floyd, expand.

**Mr Bradley:** He's already expanded.

**Hon Mr Laughren:** The member for Halton North asked an important question, and I would have thought that the opposition would be concerned about the depth of this recession compared to the 1982 one as well.

I could tell the member for Halton North that this recession is indeed different from the one back in 1981-82. There have been more jobs lost in this recession than there were in the one in 1981-82, but even more disturbing than the absolute job losses are the kinds of jobs that are being lost. Last time, as I recall, approximately 25% of all of the job losses were as a result of permanent closures. This time, in this recession, in 1990, about two thirds of all the job losses were as a result of permanent closures. That is why we talk about there being a restructuring going on in the economy and that is what basically makes it a different kind of recession than we had back in 1981-82.

**Mr Duignan:** It appears that the Tories' only answer to this recession, which was caused by their friends in Ottawa, is to shift the deficit on to the backs of the people who can least afford to pay it in this province. Why then does the federal government not put a stop to this economic madness and give priority to some strong anti-recessionary measures?

**Hon Mr Laughren:** I am sorry. I did not hear the question.

**The Speaker:** Would you repeat it briefly?

**Mr Duignan:** Why then does the federal government not put a stop to its economic madness and give some priority to some strong—

Interjections.

**The Speaker:** I thought we might try a more inventive format, of asking a question and then listening for the answer. That applies all the way around. The member for Halton North had a brief supplementary but the Treasurer, like myself and others, was unable to hear it. Would he place it quickly and then we could have the response.

**Mr Duignan:** My supplementary is to the Treasurer. Why does the federal government not put a stop to its economic madness and give priority to some strong anti-recessionary measures?

**Hon Mr Laughren:** The member for Halton North asked a good question. I am sure that his intention was not to tease the bears on the other side. I must say to the member for Halton North that I am at a loss to explain why the federal government is so totally preoccupied with the spectre of inflation as opposed to dealing with the problems of the recession. Their restrictions on transfer payments will cost the province of Ontario over \$1 billion in 1991-92. We are very concerned about their failure to join us in our battle against the recession. We invited the federal government to join with us in our antirecession package. For some reason I do not understand, they refused to do so. As well, I was dismayed, shocked and appalled when, in the federal budget, they announced a reduction of \$100 million in the Canadian Jobs Strategy Package. To me, that is aiding and abetting the recession rather than trying to do something about it.

In conclusion, if I might, we are continuing to do battle with the recession. We still believe the end is in sight and that Ontario is still the best place to work, to live and to invest.

Interjection.

**The Speaker:** The member will indeed get a question. Could we go back to 30 seconds and—

**Mr Offer:** And supplementary.

**The Speaker:** Just hold on, just relax. I know everyone is really intensely interested, which is terrific. Quite frankly, folks, I have never seen a chamber where comments were provocative when they were compliments, compliments across the floor and they turn out to be provocative. I think that since you folks are also interested, we will have a question and a brief supplementary.

1520

#### REORGANIZATION OF REGIONAL OFFICES

**Mr Miclash:** My question is to the Minister of Natural Resources. On 5 March the people of Ontario were told that the Ontario Ministry of Natural Resources' reorganization would both streamline the ministry and increase its efficiency. This reorganization eliminated the Kenora regional office. We are talking about a regional office that served a vast northern area, one which is dependent on natural resources for its survival. As a result of this closure, we



re going to lose a good number of jobs from our community during this, a time of recession.

The communities of Timmins and Cochrane, which are only 90 kilometres apart, have retained both regional office responsibilities and the district office status. Knowing this, I want to know if the minister can explain why the Kenora regional office has been eliminated, with its responsibilities and jobs moving to a community some 480 kilometres to the east.

**Hon Mr Wildman:** I appreciate the question from the member for Kenora. The purpose, as he knows, of the reorganization of the Ministry of Natural Resources is to get as many resource managers into the field as possible, close to the resources they are responsible for managing and to the people who use them. In that process, we have tried to eliminate as much middle management as possible by lowering the number of regions in the province from eight to four. In that process, he is correct, we did have to eliminate some regional offices, but we are moving the staff, the managers of the resources, from those offices into the field offices. No community that has an office now will lose a presence of the ministry.

With regard specifically to the Kenora office as compared to the regional office in Timmins-Cochrane, I should point out that the Kenora region is being eliminated and amalgamated with the Thunder Bay region whereas Timmins-Cochrane is one regional office. It has some of the staff in Timmins and some in Cochrane. That regional office is remaining and is not changing. It is a historic situation that has been in that region for some time.

Other regions in the northeast, however, are being eliminated, such as Sudbury, where they will lose some staff as well, because those services will be provided out of Huntsville.

I want to emphasize, though, that the staff who were in regional offices before who were responsible for managing resources will be moving into the field offices, into offices, such as Kenora, in the districts and area offices to serve the people in those communities.

**Mr Miclash:** I am disappointed in the answer. The minister talks about two regional offices that I spoke of being within 90 kilometres of each other. I indicated that any regional office has moved away from the Kenora area, an area that was very important, 480 kilometres to the east.

The minister has combined the two regional offices into one. Why could that not be the situation for the Kenora area as well? I am talking of a distance that you suggest is very close, 90 kilometres. I am talking of a distance in the Kenora region where we have gone 480 kilometres to the east.

I suggest that the minister is not taking jobs out to the people. He is taking them away from the area that I serve, the community of Kenora, and moving them into a central region.

**Hon Mr Wildman:** I understand the member's concern for the community of Kenora and to ensure that community is properly served, and I appreciate him bringing the matter before the House. He is incorrect, however. There are not two regional offices within 90 kilometres in

Timmins and Cochrane. That is one regional office with some staff located in Timmins and some in Cochrane. It is one region, just as the Thunder Bay region is now one region serving the area from there.

## PETITIONS

### HIGHWAY CONSTRUCTION

**Mr Conway:** I would like to lay before the House a petition signed by hundreds of my constituents in Renfrew county concerning the planning process intended for the Opeongo River Parkway.

### RELIGIOUS EDUCATION

**Mr Harris:** I have a petition signed by 16 residents of North Bay and area which reads as follows:

"To the Honourable the Lieutenant Governor and Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We respectfully request that the government of Ontario provide publicly funded religious education programs and alternative schooling on an opt-in basis to all parents in Ontario, thus enabling them to choose the type of education which they believe to be most beneficial to their children."

I too have affixed my signature, as is appropriate.

### ALCOHOL AND DRUG TREATMENT

**Mr Harris:** I have a petition signed by approximately 415 residents of North Bay and area which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We, the undersigned, support the Vita Way Farm Inc treatment centre as a long-term treatment facility for our youth. We feel with the closure of this facility that the chemically dependent youth will be forgotten. We also feel that sending the chemically dependent to the United States for treatment at a cost of over \$60,000 per client is unjust to such a facility when our budget from the Ministry of Community and Social Services is only \$240,000, which will treat 50 clients per year."

### NIAGARA DETENTION CENTRE

**Mr Cooper:** I am presenting a petition to the Legislative Assembly of Ontario on behalf of David Rabinovitch, and it is signed by himself.

### HOME CARE

**Mr Johnson:** I am pleased to table a petition to the Legislative Assembly of Ontario. It is a petition that is signed by approximately 1,400 concerned citizens. They are concerned, by the nature of their petition, that the Belleville General Hospital board of governors has placed the Victorian Order of Nurses, Quinte branch, in competition for home care services with two for-profit nursing agencies. I will affix my signature to this petition.



## ORDERS OF THE DAY

HEALTH CARDS AND NUMBERS  
CONTROL ACT, 1990LOI DE 1990 SUR LE CONTRÔLE DES CARTES SANTÉ  
ET DES NUMÉROS DE CARTES SANTÉ

Mrs Gigantes moved second reading of Bill 24, An Act to control the private use of Cards issued and Numbers assigned to Insured Persons under the Health Insurance Act.

M<sup>me</sup> Gigantes propose la deuxième lecture du projet de loi 24, Loi contrôlant l'usage dans le secteur privé des cartes et des numéros attribués aux assurés en vertu de la Loi sur l'assurance-santé.

**Hon Mrs Gigantes:** As members are aware, on 13 December 1990 I introduced the Health Cards and Numbers Control Act to provide Ontarians with the protection they need in order to maintain the confidentiality of their individual health card numbers. This legislation will prohibit individuals, businesses and organizations from requiring people to show their personal health card as a condition of providing goods or services. It will also prohibit the collection or use of a person's health number to obtain information for data banks, credit checks, mass mailings and the like. Only providers of health services, the Ministry of Health or persons prescribed by regulation can use the health numbers for administrative planning or other health-related purposes.

I intend to protect the confidentiality of the information associated with the provision of health services by introducing a wider-ranging health information privacy bill at a later date. I hope it will not be too much later.

As I announced on 13 December, my ministry has moved to make a plastic holder available to senior citizens for their Health 65 cards. In April the card holders will be mailed free of charge to seniors across Ontario. It will allow senior citizens to use their Health 65 cards to prove their eligibility for seniors' discounts and special offers without revealing their health numbers.

The right to privacy is a priority for the Ministry of Health, and as minister I seek to protect the privacy of the health number by establishing legislative protection against the use of the ministry's health number in ways that can endanger the privacy of Ontario residents.

1530

**Mr Phillips:** I speak in favour of the bill. I guess the only comment I would make is that we very much are looking forward to some of the bigger issues being dealt with and I think it may be mildly embarrassing to the government that the very first piece of business that the House deals with after being away for three months is this bill, in that every day there are 1,500 fewer people working in this province. It is a very shocking statistic and one that all of us I think are appalled by. Certainly we support this bill. In fact, I cannot find anyone who is against the bill. There is no health group against it.

As I said when the bill was introduced, it was our hope that we would be dealing with the more comprehensive privacy legislation that would be dealing with a person's

rights to his hospital records and his medical records, that we would have dealt with that, I think, broadly important topic.

I might also, as I said, ask the Minister of Health to begin to move on some of the very substantive issues, the long-term care issue, the community-based care issue, the northern health care issue, the whole issue of how we are dealing with what I think is a growing trend towards health services being provided for Ontario citizens in the US—indeed, I think we are seeing an increase in the number of commissioned agents here recruiting Ontario residents to go to the US for their health care services—and the health professions legislation, all these major issues that are sitting waiting for the minister to move on them.

We will be in support of this bill. I will repeat what I said earlier, that it was our hope we would be dealing with a much more comprehensive piece of privacy legislation that would have a much broader impact on the residents, the people of Ontario, but in the absence of any of that, we certainly will support this bill going forward for second reading and then ultimately for third reading.

**Mr Eves:** I wish to rise and speak in support of the legislation as well. I think it is important to bear in mind some of the history behind this piece of legislation. I believe that the whole issue around health cards really became a big issue in the province of Ontario after the 1987 Provincial Auditor's report in which he pointed out that there were some huge abuses in the OHIP system, or at least potential for abuses in the OHIP system would be a better way for me to put it, in that there were in excess of 25 million people on the OHIP computer system and there are only some nine million people in the province of Ontario. It became quite evident that we in this province had a very real problem.

I believe that Ontario is the last provincial jurisdiction in the country to go to the use of a personal health insurance number for each and every resident. Although I do commend the previous minister for introducing the system, there was a problem here with respect to privacy with respect to the introduction of health cards, and the privacy commissioner and others stated very publicly that they believed that introducing the card without this companion legislation would be a threat, or could be a threat, to individual privacy and they urged the previous government to introduce legislation to control the use of the health card number.

The privacy act itself states that medical information recorded by the provincial government can only be used for that purpose for which it was intended, but the act does not apply to the private sector and there was the need for what is now known as Bill 24.

The Information and Privacy Commissioner sent a letter, which he released to the public, to the Minister of Health on 26 June 1990 urging the government to prohibit the private sector from asking people for their new health numbers for anything other than health purposes. The privacy commissioner went on to state, "It is not sufficient for the Ministry of Health to generally accept the concept of privacy protection without making a firm commitment to control the use of the health number through legislation."



This legislation is intended to prohibit individuals, businesses and organizations from requiring people to show their health card number as a condition of providing goods or services.

I would like to commend the current minister in government on introducing the legislation, which is something that the previous government and minister did not at least get around to doing, although she had hinted that she might be interested in doing it.

Our party has advocated that legislative controls be put in place on the use of the number and that legislation be introduced to ensure that individuals are not denied non-medical services if they do not provide their health card number.

I would also make a request of the minister that she make some attempt to ensure that the possibility of fraud is eliminated through the system, and I believe there was previously a suggestion by the previous government to conduct a post-issue audit.

I would also ask that the government ensure that homeless people, street alcoholics and transients have a health card number and that all individuals from the province have access to our health card services. We should include refugee claimants in that group as well.

I think it is worth mentioning also that the Ministry of Health should use the information collected under the new system to plan effectively for the future. I think this could lead to more effective management of our health care resources. I have advocated, and I believe others in our party have as well, and I am sure other members of the Legislature as well, that it indeed would help if individual residents received a statement from time to time. I do not know whether the most appropriate method would be quarterly, half yearly or yearly, but I think it would really be very appropriate if Ontario taxpayers and residents knew exactly how much the health care system does cost and their use of the health care system costs.

Having said that, I congratulate the minister for introducing this legislation and will be very supportive of it.

**Mr Sutherland:** It is a pleasure to be back here in the House and have the House sitting and to be able to speak this afternoon on Bill 24 to control the private use of cards. I think it is very important that this piece of legislation be brought forward to protect people's individual privacy. Certainly everyone is in need of health care, as we know they use it on a regular basis, and I think the citizens of Ontario would be very concerned that somehow people could get access to their files or access to other personal information about them through the use of the health card.

I want to commend the minister as well for introducing this legislation. I also want to commend the minister for some of the people she consulted with, including Professor Flaherty, who was actually one of my professors when I was at the University of Western Ontario and who is clearly recognized not only in the province or the country but I certainly think throughout North America as one of the foremost experts on protection of individual privacy. I think that was a very good selection in terms of consulting with that individual.

It is also important to know that there is protection here for senior citizens and those people who are maybe more vulnerable, in that if people got access to some of the information senior citizens have they could be taken advantage of, and we certainly would not want that.

I think the other thing—and if I may, I want to cite a personal experience here—it is also good that what information is on the card is not going to be put out publicly, because I find it rather annoying when you decide to do something such as take out a subscription to a magazine. I happened to do that once and I took it out and I figured I was just giving them my information, just to that particular publication.

1540

Then it is interesting to note, when you do that, you start receiving all these application forms for other publications, and then you receive it for china collections, and then you receive it for Book-of-the-Month Club and all these other things. Actually it is quite interesting, because somehow in the publication I got a subscription to, they got my name mixed up and they had it down as Ms rather than Mr Sutherland. What I was able to do, though, was to track all the different other groups that happened to get my address from that publication, because they all came addressed as Ms. Actually, it was quite interesting. I have to tell members how surprised I was when I received a letter from the PC Canada fund addressed to Ms Kimble Sutherland.

I know actually that it is not necessarily illegal for these mailing lists to be sold, but I do think, from an ethical standpoint and from a moral standpoint, it is very inappropriate. So I am glad to know that the minister and this government are introducing legislation so that nothing like that can happen with the health card information. I think it is a good step in this day and age, when so much of our information about our private lives seems to be very public and so many people seem to have access to it, that any time we can find ways to lessen the amount of information about private individuals getting into the hands of people it does not belong to it is a very good step, and I am very glad to see that many members of the different parties support this piece of legislation.

In conclusion, I congratulate the minister and I certainly hope that this piece of legislation will work as it is intended and that the proper safeguards are there. Should there be any problems, I am quite confident that the minister and this government will take the necessary steps to amend the legislation or put the proper policies in place to ensure that people's private files and information are protected.

**The Deputy Speaker:** Are there questions or comments? Is there any other member who wishes to participate in the debate?

Interjection.

**Mr Sterling:** The member for Mississauga West obviously knows that I will not be a delegate at the next Liberal leadership convention.

I find it passing strange that the Minister of Health would bring forward a piece of legislation like this as her first bill as the Minister of Health, because I remember



back to the debate on the Freedom of Information and Protection of Privacy Act some three or four years ago when this member, the member for Ottawa Centre now, was the critic for the Attorney General, and I can remember entering into a debate with her over a privacy issue.

Under the Freedom of Information and Protection of Privacy Act, all personal information is not allowed to be given out to the public. In other words, if I asked for information about another citizen in Ontario and the government owns that information, that is not given out. However, if there is a public interest in giving that information out, it can be given out, and that is under section 23, where it says, "An exemption from disclosure of a record under sections...21 does not apply where" there is "a compelling public interest and the disclosure of the record clearly outweighs the purpose of the exemption."

I can remember during that debate I did not want personal information to ever be disclosed to the public and have the Information and Privacy Commissioner, who is a very powerful individual in this province, have the right to make the decision that the public interest was more important than a person's health records, his private information which he has supplied to the government.

Now, the Minister of Health, who was then the critic for the Attorney General, insisted that the public interest override be inserted for private information. So I find it ironic that the first piece of legislation that she would bring forward would in effect be an almost complete 180-degree turn on her concern which she expressed in this Legislature some four years ago on privacy matters dealing with information.

I can only draw the conclusion that she is concerned that the private sector be limited in terms of dealing with personal information, but she wants in some ways the control over private information held by the government dealt with in another way. Therefore I, like my colleague, am very much in favour of this bill. It would be consistent with my stand which I took some four years back with regard to limiting the Information and Privacy Commissioner in disclosing personal information. I did not want a public override test with regard to any private information that this government or our government holds about an individual in our society.

When this concept was introduced by the former Minister of Health, the minister made the announcement, the New Democratic Party responded to the announcement and then we responded. It was only our party at that point in time which raised the issue of privacy and the concern for privacy. I want it put on the record that of all the political parties which are represented in this Legislature, there is one party which is primarily concerned with the privacy of individuals and that is the Progressive Conservative Party. We have been on record time and time again and concerned with that issue.

I was most concerned that in the last Legislature the former Liberal government did not have any intention of bringing forward a bill of this kind. It was only after the intervention of our Information and Privacy Commissioner that some action started to take place. I want to congratulate the Information and Privacy Commissioner on taking

that action by producing an open and a public letter which was drafted, and the former Minister of Health saying that the former government should take action like that which is included in Bill 24.

Fortunately, we now have legislation which enhances the power of the Information and Privacy Commissioner to bring forward issues like this to the public's attention. I believe that the use of the health card number should be controlled as outlined in this legislation and therefore support it. We have to be continually aware of the prospect and the potential for the use of various identification numbers to identify individuals whereby computer matching can take place and a profile of an individual can in fact take place.

We do support this legislation. We encourage the Information and Privacy Commissioner in the future to continue to take an interest in particularly this government with regard to its former philosophical base in terms of being more concerned with the collective whole than the individual's rights. Therefore we are most concerned that the Information and Privacy Commissioner continue to be an advocate for privacy rights in this province. Our party will continue to keep a watch as best it can with regard to anything this government does to ensure that the proper safeguards are there to protect the privacy of individuals in our province.

1550

**Mr Mills:** I am delighted to be back here in this arena after our short vacation and to see so many fresh and exciting faces in front of me. It gives me great pleasure.

I have an English accent, so I do not have to tell members that originally I come from England. Over there the folks tend to naturally seem to get very agitated immediately when people want to ask and find out where they have come from and what they do. It seems to switch on a nerve that agitates people where I come from more actively than most other nationalities, and I am no exception. When people try to ask me information that they have no right to, I get very agitated, and that is why I stand here today pleased to support this piece of legislation about the care and the control of the new health care cards.

I will give a little of the experience about the abuse of the social insurance number. The other day in my constituency office in Bowmanville I had reason to order a fax machine, because we are getting so many messages that we cannot keep track any other way. I signed some form of lease to get this machine and the people whom I got this machine from had the audacity—and I mean that—to call me and ask for my social insurance number. Leasing a fax machine—what difference it makes to the whole system is beyond me. But this is how the social insurance numbers have got. It is a total abuse of a card that was issued that was never meant to be used in this fashion, and this is why I stand here today and support wholeheartedly the controls that are going to be put into effect on this health card.

I would also commend the minister for the sensitivity that she has exercised in the ages of people 65 and over when they present this card for drugs and other benefits under the health scheme and that their date of birth will be



obscured and will not be readily seen. I appreciate that because I am rapidly approaching that age when I should get one of these cards and I too am sensitive of that. I do not want anybody to really know that I am that age, because I get quite upset now when I go into Grand & Toy and—

**Mr Stockwell:** How old are you?

**Mr Mills:** How old am I? I am older than you.

I get quite upset these days when I go into Grand & Toy and I buy something and I say, "This item costs \$1.99," and they say, "Well, we took the 10% off because you are a senior." I hate it, and that is why I am so pleased to see my colleague and my friend the minister, who is—

**Mr Mahoney:** It beats the alternative.

**Mr Mills:** Yes. But she is so sensitive to the senior citizen and I commend her for that.

**Mr Ruprecht:** Don't you get a discount?

**Mr Mills:** Pardon?

**Mr Mahoney:** Just ignore that.

**Mr Mills:** I am going to ignore that. I am not going to continue at length, but I just felt that I had to stand here as the member for Durham East and as a person who represents a number of senior citizens to say how pleased we are at this piece of legislation. I commend the minister and thank her for it.

**Mr J. Wilson:** I am grateful for the opportunity today to join the debate on Bill 24 and to make some remarks on the need for respect for privacy in the governing structures of our society. I am pleased to see that the new government—and I want to say this from the outset—is bringing forward this new legislation.

While the new health card system provides the potential to streamline the inefficiencies of the OHIP system—indeed it was a headache trying to analyse a system, the OHIP system, fraught by millions of duplicate numbers and one that had family members sharing the same numbers—the new health cards come complete with an implied threat, a threat that calls into question an individual's fundamental right to privacy.

Ironically, this somewhat hidden threat is there simply because of the potential for efficiency created by the new health card system. Often with progress come new challenges, and the new health card system has forced us to reconcile the need for efficiency with the privacy interests of our constituents.

The previous Liberal government chose to do nothing about it, even though it was made aware of this threat on numerous occasions by members of this side of the House and by the assistant commissioner of information and privacy. That said, I am pleased that the new government has chosen to recognize what the PC Party has long fought for; that is, the need to protect individual rights of privacy, and while none of the members present in the Legislature here today would dispute the need for a health card system that facilitates delivery of health care services, equally important is guaranteeing the right to privacy under that system.

Sensitivity to the individual and assuring individual freedoms are necessary to sustain a free and democratic

society. Towards that end, an important first step has been undertaken by this government. On 13 December, the government introduced this bill designed to control the use of cards issued and numbers assigned to insured persons under the Health Insurance Act. This legislation hits a socially responsive chord. It does so by attaching significant costs to any attempts made by individuals, businesses and organizations to set conditions whereby people must show their personal health card in order to acquire certain goods or services.

In instituting conditions where companies and institutions face fines of up to \$25,000 and six-month jail terms for violations of this act, the government has demonstrated a true commitment to protecting the individual's privacy rights. It is showing that it will on occasion heed the wisdom of interest groups and opposition members.

I also hope that the government will make note of other problem areas that may arise from the implementation of the new health card system. The movement from a family-based system to an individualized system creates difficulties perhaps for refugee claimants who have not previously had OHIP numbers. What happens with refugee claimants who need medical attention who have not been issued health cards because they do not have work permits? I am uncertain as to what the government has done to ensure that refugee claimants are not barred from our health care system.

What will become of the relatives of refugee claimants who have been mired in the immigration department backlog but have been working in the province for a substantial period of time? Are we in effect forcing these people to quit their jobs and go on welfare so that they can automatically qualify for OHIP, and consequently an Ontario health card?

As well, what is being done to guarantee that homeless people, street alcoholics and transients have a new health number? Understandably, many of these individuals may have let their OHIP coverage lapse during the last three months of 1989. Let us not forget that the overriding premise of the Ontario health system is to provide health care services to all Ontarians.

The government must guard against falling into the Liberal Party trap. Yes, the new health card is an improvement, but recognizing problems and failing to act on them only serves to undermine the spoils of the victory. I hope that the current government will not only recognize the shortcomings of the new system but will move to remedy them. Although the government is moving in the right direction, several problems still exist, as I have just outlined.

While Bill 24 legislates control over the use of health cards and health numbers by the private sector, we must be diligent to fend off abuses to the new health card system. When social insurance numbers were established in 1964, no one foresaw the extent of abuses to the legitimate use of that personal identification number. Today, the social insurance number is used for a myriad of purposes outside the limited purpose that it was originally intended for. Through the benefit of hindsight, we must do more than acknowledge the concept of privacy and, instead, fight to include privacy as an unalienable right.



Last Christmas I sent a newsletter to my constituents in Simcoe West and in it I enclosed a survey in order to identify what issues were most important in my riding. I found out that residents of Simcoe West listed health care as the most critical issue facing the Ontario government, with the lone exception being the issue of taxation.

A whopping 65% of respondents in my riding were opposed to any government increase in health care spending. A large number of people in my riding indicated that they want the abuses to the health care system cleaned up. The best way to ensure this is to be vigilant and avoid situations where the Health ministry is issuing health cards to dogs and cats as we saw with the former system of OHIP numbers. The situation I want to avoid is soaring health costs to offset abuses to the new health card system. If we are sincere in our efforts to create the best possible health care system, we must make a thorough and complete examination of it.

1600

In summation, I praise the government for introducing this legislation. It represents a critical first step towards preventing the private sector from using what has been described as a perfect tracking device. The new health card must be about maximizing our capability for delivering health care services, not about providing individuals, businesses and organizations with a superior means of tracking, for example, debtors. It clearly would be an abuse of the new health card system if this were allowed to happen.

I would be remiss if I did not take this opportunity to speak on Bill 24 as a call to arms for the government to operate its health care system with an emphasis upon cutting out waste and abuse. Our ability to provide the optimum health care services is directly related to our collective will to mitigate abuses to that system. I hope that the adoption of this bill signifies the opening salvo in our war to balance effective social programs with the taxpayers' ability to shoulder the costs. This balance is of fundamental importance to the taxpayers in my riding of Simcoe West, as I hope it is to all members on the government side of this Legislature.

**Mr Tilson:** As has been indicated by the fellow members of my party, we are supporting this legislation. Of course, as has been indicated earlier, it was prompted by the Information and Privacy Commissioner some time ago, and for some unearthly reason the former Minister of Health in the Liberal Party simply ignored this problem, even though it was drawn to her attention. It is a serious problem, and I think that our party has looked at it and has certainly been concerned with the overall cost of health in this province and how it has grown completely out of sight, particularly during the Liberal government's reign. The cost of health has certainly become most unmanageable.

Members of my caucus in the past not only supported this type of legislation, but in fact advocated providing all individuals with a regular statement of the cost of health services that they have received. I think that might draw to people's attention exactly what their annual health expenses are.

Certainly in the past, there have been more OHIP cards than there have been people. It is amazing how these cards were released, and as my friend just recently spoke of, it has been known for almost anyone to get a card, whether it be a dog, a cat, a canary, so obviously this legislation is long overdue and we certainly support it.

I took the liberty of consulting with some of the medical profession in my riding to get their view on this legislation, and there is general support, at least from the doctors in my riding. I would like to read just a few comments where they expressed their support.

One of the doctors felt that there really had not been proper consultation by the Ministry of Health. I think he feels that there should be more explanations going out to the medical profession as to the use of the card. He stated that there appears to be a general lack of consultations with members of the profession with respect to future billing and data recording by the ministry.

I can think of no particular good reason why physicians should not be informed about future plans in the ministry in this regard. Although we support the legislation, I think that there needs to be more education, more information sent out to the medical profession as to what the card will be used for.

Another doctor simply expressed that he felt that the cards would be easier for the members of the public to use. He felt that the trend with the patients that this doctor had would be that the patients would be accepting it.

Another doctor was concerned with the improper use of the OHIP cards under the previous system. With respect to the new cards being used, he stated that it may be somewhat easier to detect the improper use of health cards by imposters who present false OHIP cards to hospital administrators and doctors, etc. This was a concern that this doctor held in our riding, and I assume this is province-wide, that there was a great abuse of the system. Hopefully this will probably be, to some minor degree at least, an effort to deal with the whole question of cost in the health system.

The final letter that I would like to refer to in support of this legislation is from a doctor who talked about how he felt the numbering system had been improved. He felt it identified the abusers and he felt that it would reduce the increasing fraudulent consumers. I would just like to read a few short paragraphs from this letter, which is perhaps the most lengthy of the ones that I received from the medical profession in my riding:

"I believe that this new numbering system will be a vast improvement over the older OHIP numbering system. I also believe but do not know for sure that this one new number will serve many different purposes, ie, replace the old drug card. Since each individual has a number which will not change through his/her lifetime, the potential for misuse and abuse also exists alongside the potential for improved and superior delivery of health care benefits to every citizen and the population of the province as a whole.

"As the data accumulate through the months and years of usage, the database of information will now grow and expand and can be used in the same way the information



from Statistics Canada surveys are used for the benefit of all.

"I would hope that this information would be able to identify those individuals and groups of individuals who inappropriately abuse and overuse the health system as consumers, as well as identify those individual practitioners that inappropriately provide services. These people unfortunately exist at each end of the spectrum." I think that is probably one of the major pros of the proposed legislation.

The next paragraph states: "I strongly suspect there will also be a third category of potential fraudulent consumers. This group will include out-of-province Canadians and aliens from the US and abroad, most likely the Caribbean and South America, who travel to Ontario solely for the purpose of consuming the more expensive health services and procedures at essentially no charge whatsoever. It will take some time, of course, for this pattern to clandestinely evolve and develop. We live in an imperfect world." I am sure it will take some time for the legislation to reach its impact.

Without reading the full text of the letter, this doctor is also concerned with the overall cost of health in the province, but in supporting this piece of legislation, he also generally talks about our overall health care system, acknowledging that the cost is getting out of hand.

"Our health care system has some shining, very impressive features. For example, computerized hospital facilities, air ambulance, transplant databases, cardiac pacemakers, advanced chemotherapy, radiotherapy and life-support systems, as well as all the impressive surgical, technical advances associated with transplanting organs, as well as the advances foreseeable in the near future with the manipulation of genetic information.

"These shining features stand in stark contrast to the pervasive Third World example of frank starvation in the absence of any health service or death by a communicable disease such as rubella, red measles, in the absence of any form of low-cost immunization program."

I think that our system is obviously imperfect and most expensive, but we must protect it, and I believe that this health card is a step in the right direction.

1610

**Hon Mrs Gigantes:** I would like to start out by thanking the critics for the other two parties, members of the other parties and also members of the government party for supporting this bill.

It is a pretty modest bill. It simply says that we are setting out a legislative framework in which the use by private organizations of people's health card numbers, the collection, the requirement of those numbers and their use for anything besides the provision of health services will not be allowed in Ontario, a very modest step in the protection of privacy.

I think in fairness to the former Minister of Health, the member for Oriole, it was probably her intention to bring forward legislation in which this element of protection of privacy associated with the health card would have been included, a major piece of legislation which I hope to be able to bring before this House in fairly short order con-

cerning the access that individuals can have to their own medical records and their own medical information and the protection of privacy of health information.

We do not have a good enough system yet in this province, and I am looking forward to being able to bring that legislation before this House. We need it. This is only one part of the legislation we need and we have gone ahead with it as a single measure because the health card is coming into play and, as several members have pointed out, the health card in and of itself poses some danger if it is used in improper ways.

I would like to note that the discussion of even such a modest bill summons forth the energies and imaginations of members to speak on a wide range of health matters. I am going to try and refrain from responding to the many items which have been raised, except to try and assure members who have raised questions, such as whether the dependants of refugee claimants might be left without medical services because of the new card, that we are working on that and that will not be a problem.

I would also very much like to thank the member who spoke about the real concern that people of British origin have always been known to have for their personal privacy. I am sure he will not mind my saying this, but he has confessed to me that he has managed to lose his health card and I have told him that this legislation is not going to help him.

I thank members very much for their support. It is much appreciated and I hope that we will have good use of the health card.

Motion agreed to.

La motion est adoptée.

Bill ordered for third reading.

Le projet de loi devra passer à l'étape de troisième lecture.

#### EDUCATION AMENDMENT ACT (MISCELLANEOUS), 1990

Mrs Boyd moved second reading of Bill 30, An Act to amend the Education Act.

**Hon Mrs Boyd:** This act is intended to update the Education Act to conform to the freedom of information and protection of privacy legislation in the province and to give legislative support for other ministry initiatives.

The bill contains the following six proposed statutory amendments:

1. To provide for the release of names, addresses and telephone numbers of pupils and parents or guardians and the pupils' dates of birth to the local medical officer of health.

2. To authorize the collection of personal information for inclusion in the Ontario student record.

3. To provide a legislative base for the minister to provide capital grants to school boards for the provision of child care facilities in new and replacement schools and to permit boards to expend capital funds for the construction and renovation of child care facilities in any school building.

4. To permit public schools and Roman Catholic school boards to make agreements in a ratio other than the sharing



ratio currently provided in the act for the amount of sick leave gratuity paid to a designated teacher upon the termination of employment.

5. To permit demonstration schools to provide programs for exceptional pupils with learning disabilities or with hearing and/or visual impairments.

6. To give the minister the authority to negotiate and sign copyright licence agreements with copyright-holder collectives.

This is a piece of legislation that is largely housekeeping in nature. It permits the ministry to carry on with its business and in fact gives legislative support for initiatives that are already under way.

**Mr Beer:** We welcome the introduction of this particular bill. As the minister has set out, this has been the subject of some discussion over a period of time and really deals with a variety of issues where there has been the expectation of these changes. I think, in broad terms, they are welcomed by the educational community.

There are a number of issues that I think relate to some of these and this is the appropriate place to discuss them as we go through the debate. I would like to make some comments about some of the specific areas and perhaps leave some questions about which, at the end of the debate, the minister can perhaps share some information with us.

With respect to the copyright licence agreement, as we know, this has been a problem for some time, and what we are doing falls in step to a certain extent with what the federal government has been doing in changes to its copyright legislation. I know that the minister would be aware that there was a letter sent by the chairman of the Council of Ministers of Education, Canada, of which, of course, she is a member, to Marcel Masse, the Minister of Communications, at the end of February. If I understand the letter, the federal minister was supposed to meet with the provincial ministers on this issue specifically to talk about when phase 2 of the federal legislation would be brought forward. That has implications at the provincial level.

The minister did not attend the meeting, and it would be, I think, interesting for the House to know if there has been any response to this letter and if the Minister of Education has any sense of when the federal legislation or that second phase would be going forward. I would appreciate, if there is anything further on that, that she might share that with us.

With respect to the particular issues that are raised in the legislation that we have before us, my understanding is, broadly speaking, that the school boards are supportive of this initiative, but there are a couple of questions and I would like the minister to perhaps deal with those.

One was that, as I understand the way this will work, the ministry is dealing on behalf of all of the boards with an organization, the Canadian Reprograph Collective, more commonly known as Cancopy. Now when that negotiation is completed, there was an issue around who will pay for that, and I think it was a source of some discussion. If the minister could tell us, are the boards going to pay? Is it being shared by the ministry and the boards? What is the situation with respect to that? The other point

that I think would be useful for us to be clear on is just precisely what is being negotiated and what will be covered by the present agreement?

1620

If my understanding is correct, the taping of radio and television programs will not be covered, at least at this point. That means that audio-visual material, print music, computer software, would not be covered in the agreement. How does the minister envision that we will, at some point, address these gaps and make sure they are covered? Because I think, as is clear to anybody teaching in a high school or elementary school, those areas are certainly ones that are used a great deal by teachers. There is some concern around what protection they have and would have under this legislation. The other point that has been raised is the question of how school boards, and indeed the ministry, will deal with authors and publishers who are not part of the collective. I gather they are trying to bring as many together as possible. None the less, there will be some who are outside and I think it will be important to ensure that there is protection there.

As I say, I think the consultation that has gone on with respect to the copyright licence part of this bill has been quite extensive. I think there is broad support, and those questions I raise in terms of how we will proceed with future action, and recognize that we also have to make sure that the federal government continues. Indeed, I think they were supposed to have introduced phase 2 some time ago. With respect to the issue of child care, again this is the product, in a sense, of discussions that were ongoing, and many boards were saying that they wanted to be able to develop child care facilities; not necessarily with new schools, but that as new schools came on line, they could use those facilities in other parts of their jurisdiction. That is what they would like to do.

One of the things that is a bit troubling at this point in dealing with this part of the bill is exactly where, in broader terms, the responsibility for child care is going to be located. As the minister is aware, in the fall a report was tabled by her colleague the Minister of Community and Social Services entitled *Children First*. In that document a number of recommendations were made and there was quite an extensive discussion of how the Ministry of Education, the Ministry of Community and Social Services and the Ministry of Health would co-operate on a variety of issues. I know that within the educational community and among teachers, there is a lot of discussion as to whether, in broader terms, the present government's direction is to, perhaps, see child care coming under the purview of the Ministry of Education. In particular, what kinds of steps is the minister going to be taking in dealing with the Maloney report and a variety of recommendations that are centred on children?

The particular amendment that is proposed is not one that I find troublesome. But I think that it is terribly important that the government recognize that there is, out in the broad field of child care, a fair bit of uncertainty in terms of where the ultimate authority for this whole area is going to rest, and what kind of consultative process will be set up to deal with, in particular, the issue of child care. The



minister would be aware that the London board of education had recommended to the former minister that the Education Act be amended in a way that would permit it to provide child care facilities on a more flexible basis. I know that previously we were dealing with that and this has come up as well in Metropolitan Toronto and in other areas.

In terms of providing the most extensive child care possible, I think that it is imperative that we look at how we are providing those dollars and what kind of flexibility boards then have to ensure that they can focus the funds in those areas that they cover where the child care is needed.

I know I have seen in some places where a new school does in fact have a new child care facility, but where probably if one had been planning in a broader sense one might have wanted to place that facility in some other location. It seems to me there has got to be some way that we can sort that out so that we really have those child care spaces which we need in places that will be most helpful, and that is something that we are going to have to keep working with.

I think the overall issue that this particular amendment raises is the need that the government will have to set out a process with respect to the Maloney report and, in particular, focusing on child care and determining very clearly if indeed there will still be shared jurisdiction or if it is the long-term direction that the Ministry of Education would in effect take over this particular area of responsibility.

Another area that is covered by the act relates to special education and the question of maintaining, establishing and operating demonstration schools, and again I think this is important. It is a good amendment and something that is necessary. It also raises the broader question of when we are going to see the special education legislation which we had been working on in the previous government and which I know was in a fairly developed sense when we left office. A number of organizations within the special education community have, I am sure, been talking with the minister, with the Ministry of Education, with those of us in the opposition about the need to get that legislation before the House and to get changes because we recognize that there is a great deal to do in that area.

While this is certainly a positive step and something that we support, we would urge the minister to bring to the House the broader amendments to the special education area. Some of those, she will know, deal, for example, with the way that the review process works; what rights parents have in terms of any appeals as to how their child is placed; what kind of program is being set up, and that has been the source of a great deal of concern for many parents. I think there was an agreement among many in the educational community as to how we might deal with that, and if we have that agreement I think it is important that we bring that bill to the House so that we can deal with it.

I note as well that the minister had received a letter on 12 March from the Metropolitan Toronto Association for Community Living, which again deals with the area of special education, asking that amendment be brought to the Education Act so that it would be able to implement the results of a special task force that it had set up to

examine the role of the Metropolitan Toronto school board in the delivery of programs and services for students identified as "trainable retarded." Again, this is something which they have identified as being particularly important to them in making sure that they can provide the kind of education they feel is important and to do it in a way that will be most useful for the people who need that program. There are just a number of issues and initiatives in that broad special education area where it is important that we see some of the changes both to the act and in some cases to special acts so that the various communities can get on with the programs that need to be provided.

With respect to the issue of sick leave gratuities, again, that was one where there was agreement and I have no specific comments to make on that. So, in general terms, we see this as going forward to complete the work that we had begun, not unlike Bills 12 and 13 which we discussed in the fall session, and that, if anything, they will now come before us and we hope be approved. But they raise the more fundamental issue of how we are going to deal, first of all, with child care and that there is a need, I believe, for a very extensive public consultation using the Children First document, and then coming back to the House with proposed changes for that whole area and the equally important need of bringing to this House the changes to the special education legislation, so that we can make some real progress in providing better services and better programs for people in the province.

1630

**Mrs Cunningham:** I would like to begin by telling the minister that we are pleased with most parts of this legislation today, but there are some parts of Bill 30 that we would like to draw to her attention as areas of concern on behalf of many parents, certainly school board trustees and members of the Progressive Conservative caucus.

This kind of omnibus bill is usually a wonderful vehicle for tying up loose ends and, as the minister stated, from her point of view that is exactly what she is trying to do with this particular piece of legislation. She described it as largely housekeeping and providing legislative support for initiatives that are already under way. But I think I should say that more often than not, in attempting to slide an item through the House that would perhaps need closer consideration, there are often parts of these omnibus bills that we miss as elected representatives, and perhaps the minister has as well, with regard to the intent. That is what I would like to draw to her attention today.

First of all, I will talk about tying up loose ends. Bill 30 is, of course, a classic example of this. It brings the Education Act in line with the freedom-of-information legislation and it permits public and separate boards to negotiate agreements for cost-sharing sick leave gratuities under the other Bill 30. It also permits demonstration schools to provide programs for exceptional pupils and it authorizes the minister to negotiate and sign copyright licence agreements. I would like to speak for just a moment with regard to the copyright.

I would like to begin by saying that I congratulate the minister on her resolution of the copyright issue. The former



Liberal government, as was its trademark, attempted to offload the cost of the ministry-negotiated copyright licence agreement on to the local tax base when it introduced Bill 221, and Bill 30 does not contain the clause that both boards and teachers opposed and I applaud the effort that she has made to work on a consultative basis with the education community. I would also continue to encourage the minister to continue the consultation process as she negotiates a licence agreement with Cancopy. We wish her the very best in that endeavour.

I would also like to say that as Bill 30 is also a classic example of tying up loose ends, although it does bring the Education Act in line with what I have just mentioned and it permits the demonstration schools and it permits her to work on her copyright licence legislation, these are the necessary changes that should be supported.

I think, unfortunately, Bill 30 entrenches an inequity into the Education Act with regard to child care facilities in our schools. Under this bill the minister is authorized to provide capital grants for the construction of child care facilities in all new and replacement schools. This provision simply entrenches a policy introduced by the former Liberal government in its New Directions for Child Care, which many of us know about. We understand what she is saying, that it provides legislative support for initiatives that are already under way.

The problem lies in the fact that if you do not happen to need a new or replacement school you will not receive any funding from the province, and therefore in parts of a school board's jurisdiction, if she feels that the child care facilities are more appropriately placed in existing schools, they are more appropriately placed on other parts of school property. We really like the idea of the children having the child care facilities either close to or in existing school space for a couple of reasons.

First of all, it is much more convenient in these times of rushing about; it is much more convenient for families and they like it. It cuts down the travel time for young children and we think that is a good idea. We also think, believe it or not, in these times, there may in fact be schools that have space for child care facilities and we think we should be using schools that have already been paid for by the public. We should have been doing this for many years.

But the problem is this: With this bill, if in fact you want to construct a new child care facility and it does not happen to be in a new school, if it does not happen to be in a replacement school, then with this bill you pay for it all out of the local tax dollar. We think the minister should be aware that in fact that ought to be a subject of consultation for the minister with the communities and with the opposition party representatives, because we think we have got some good ideas with regard to funding of child care facilities. We really think we can be helpful and we think this bill—although we approved of the New Directions for Child Care, certainly as a beginning, we also were grateful that it was not entrenched in legislation, because I think it gave more flexibility to the government and we like that.

Although we appreciate the minister's intent here, we think that there is a loophole that she should be made very

much aware of. To cover this problem, the bill, in going on to state that the boards can spend local tax dollars to cover the costs of building or renovating child care facilities in existing schools—we have to be very careful that in fact the school board trustees and the public understand the difference, because of course it does raise the expectations as to the public purse providing child care facilities with public money spent by the province right across the province of Ontario. So although it does not clearly delineate in the bill the difference in the funding, it certainly does in the information that came along with the bill, the intent and we are pleased at that.

The government has created a demand for child care facilities in schools throughout the province by having an explicit policy to put child care in all new schools. Certainly the previous government did that. We personally thought it was a good idea. We were very much concerned about who paid for it and in the interim, until we had had the opportunity to discuss this—certainly since I have been here I have not been given the privilege of explaining or expressing my views except during estimates, perhaps, and I feel in appropriate arenas. I think if we are going to be discussing those kinds of policies, that is exactly what we should be discussing and I think it is a very important policy for this government to come to grips with and we are prepared to help.

Parents in existing schools also want school-based child care. The school boards have mentioned that many times in the last three or four years and if a board is going to meet this demand the local taxpayer, as I have stated before, right now, has to foot the whole bill and that is the inequity. I can understand why the Liberals would be happy to download education services on to the local tax base, because they had a reputation for doing that. I hope they have learned their lesson and that they will work with us to stop that trend. But I do have a problem with the NDP government entrenching this practice into the Education Act and I think the minister is very much aware of that concern because I have discussed it with her before.

It is my understanding that it has been a long-standing NDP policy to remove education costs from the local property tax base and this policy clearly adds to the local tax burden. We all know property taxes are not based on the ability of a person to pay and hit those on fixed incomes, seniors, the hardest.

1640

I think one of the true inequities will be in the case of a board like the Toronto Board of Education, where in fact they are not looking to building new schools. I am not even sure if they are looking at replacement schools. So their hope for child care centres will be something where they will once again have no support from the province, either for their existing programs in education and now not even for capital for child care. Other boards across the province know and recognize that that is an inequity for the city of Toronto. We recognize it. We had hoped this government would do something about it, but here we are at the same time now asking it to do even more, with this bill, on the local tax base.



I think it is interesting to note, and my colleague the member for Waterloo North will probably be speaking more explicitly to this, that not too long ago in Kitchener there was some public discussion around the numbers of spaces for child care in schools as opposed to the numbers of spaces for child care in other parts of the community. Really, if we are looking at the provision of child care, we have to take a look at the realities of where the services are needed, who is going to be paying for it down the road and just who will be responsible for teaching and providing the early childhood education for young children.

My view is that right now there is no clear indication from the ministry about where it is going with early childhood education and child care. There has been no indication, I believe, with regard to the kindergarten initiative, the early childhood education, the three-year-old programs, the four-year-old programs that were begun by the Liberals and expanded by the Liberals. Even then there was no opportunity for discussion with regard to policy decisions for early childhood education.

We have not heard from the government its response to the fourth report of the select committee on education. It was in the dissenting opinion of the NDP, submitted by Richard Johnston and the now honourable minister the member for Windsor-Riverside. It clearly stated that the NDP wants to place existing child care facilities in schools under the direction of the Ministry of Education. I would speak very strongly against that particular policy, and certainly against it without extensive public discussion. There are many early child care and early childhood educators out there who would really welcome the opportunity to speak to just who has the responsibility for delivering child care and early childhood education in this province. It is something we have not had the opportunity to discuss in full.

I would say right now, certainly from my own experience and from the concerns on behalf of my own caucus colleagues who will be speaking for themselves and for their constituents this afternoon, that that is a great concern across the province of Ontario. If in fact this government is going to say that Education will have the sole responsibility, then this is the beginning in this bill.

I do not believe that is true. I think all of us have been made aware of the more recent report called *Children First*, where in fact we saw an indication there would be sharing on behalf of the Ministry of Health, the Ministry of Community and Social Services and the Ministry of Education. This could be an exciting public discussion for parents across this province. I do not believe we have had one for over a decade, and I believe that this minister and the interest she has shown in education and child care and in her work with families would be the kind of person who would encourage that kind of public discussion for all of us to be part of.

I feel very strongly that early childhood educators, child care givers are probably the best people to provide care for children, that the education curriculum should be much less structured, that in fact the persons supervising the day-to-day care of children when they are away from

parents are probably not teachers, as qualified under the Education Act, but child care providers.

I also feel we have to think about what is efficient for families, what they can afford to pay, what we can afford to pay on their behalf in the way of subsidies. I feel we are long overdue for this kind of public discussion and unfortunately, and I will try to conclude my remarks, with this bill I think the wrong message could be sent out, and that is that perhaps there ought to be another ministry or a joint ministry that provides both capital and operating funding for early childhood programs, child care programs and programs that deal with the needs of young children.

We have also raised in this House, on many occasions, the need for a change in the child care act. Many changes must be made and many of them cannot be made without consultation with the Minister of Education and with the Minister of Community and Social Services and perhaps the Minister of Health. These changes are long overdue and this discussion is long overdue.

In concluding, I would say today that we certainly applaud the minister in her efforts around housekeeping responsibilities. We feel badly that in fact the child care portion has been included in two different parts of Bill 30. We certainly feel that her advisers have told her this is necessary for the continuation of what is already happening in schools. We do not believe that is so. We think the replacement schools could simply have been part of government policy and we hope this is not an indication that Education will be responsible. As an educator and later as an early childhood educator, I truly do not believe the existing programs for four- and five-year olds in our school system are the appropriate kinds of programs, nor are those teachers the ones with the best kind of training to deal with the care of children.

On that note, in being positive, I appreciate the kind of work that is going on by teachers in our school system and certainly by child care providers across this province. I think they have one of the most responsible jobs, if not the most responsible job. As a mother I know I have had to rely on those services myself and there are many more families relying on them in the future.

With this new government we have a wonderful opportunity to provide the kinds of services that are not only appropriate for all children, but that are also cost-effective. In this caucus we have lots to say about that. I thank you, Mr Speaker, for the opportunity to speak to this legislation this afternoon.

**Ms Haslam:** I will be very brief on this bill. I understand that what the honourable minister has brought forward is housekeeping. Some amendments deal with the necessity to comply with the Freedom of Information and Protection of Privacy Act, in particular numbers one and two. Some reflect previous government policies, but they institute legal powers to help make this policy happen, as in number three, and some address the protection of teachers, as in number four and particularly number six.

When we look at capital funding for child care facilities, I think this is a very important issue. Everyone agrees that child care centres are important and should be near or in schools and that they are necessary and appreciated.



Everybody has said that. What this does, though, is to allow for local decisions. We have not mandated another program to a school board without giving it some financial backing. We have financially backed them for what we feel is necessary but we have also allowed them the opportunity to make some local decisions. This is very important for local boards out there.

Many issues have been raised that are inherent in the child care issue, but this bill is not here to deal with those issues. It is a comprehensive housekeeping bill. It is basic in its presentation. As everyone has agreed, we applaud the minister in coming forward with it and we appreciate the opportunity to speak in favour of it. I would like to add my voice to those who have spoken before me and say that I feel this is a necessary bill and should be passed without any problems whatsoever. I also appreciate the opportunity to talk on this particular thing in education and I will be supporting this bill.

1650

**Mrs Witmer:** Although omnibus bills such as this Bill 30 are excellent vehicles for tying up loose ends, unfortunately they also do provide opportunities to slide in items through the House that do need our closer consideration. Certainly Bill 30 today is a classic example of this.

Although I am in agreement with most of the changes that have been proposed, I do have some concerns. The concern I have is around the child care issue. Unfortunately, and this has certainly been mentioned by my colleague, it appears to move child care under the jurisdiction of the Education Act and I have some very serious concerns about this move.

Under Bill 30, the minister is authorized to provide capital grants for the construction of child care facilities in all new and replacement schools. The problem lies in the fact that if you do not happen to be a growth board and you do not receive funding for new or replacement schools, you are not going to receive any funding for new child care spaces. However, this bill tries to look after that as well, and it goes on to state that boards can spend local tax dollars to cover the cost of building or renovating child care facilities in existing schools.

Unfortunately, this creates the expectation that throughout the province of Ontario these child care facilities will immediately be made available. It also exacerbates the problems for assessment-poor school boards who do not have the ability to raise taxes locally. Furthermore, problems in equality will rise in areas where a coterminous board may be able to raise the funds for child care facilities and the other board simply does not have the ability to do so.

Another concern I have relates to capital grants being given only to boards for child care facilities in new or replacement schools. This is creating problems of inequality. In cities where there is a lot of growth on one side and maybe not on another, there are three or four child care facilities being constructed, whereas in a downtown area where there is a tremendous need for child care, one is not allowed. Is this fair? Is this responding to need? Why are boards of education throughout this province not allowed

to decide where they spend the money? Why are they not allowed to determine the need? Why does the money at the present time not follow the need as opposed to the building?

I would like to refer to an article from the paper in my riding. The headline is "Wasteful Day Care Grants Irritate Trustees." This is from yesterday's newspaper: "'An inflexible provincial policy means day care centres are being built where they are not needed while other neighbourhoods are doing without,' say trustees of the Waterloo County Board of Education."

In 1987 the Ontario government made it mandatory for school boards to put day care centres in every new school. However, the board is now building a school and it has not been able to find an agency to operate the day care centre at the new school. They have spent \$1,000 advertising for tenders. The reason is that the agencies do not want to operate the day care centre in this area because that subdivision does not need a child care centre. There is already an overabundance of day care spaces in that part of the city. The board would like to use the provincial funds to build a centre at an older school in a neighbourhood where there are not any centres. However, the province does not allow for that to happen. The province, the government, is not recognizing grants based on need, just when there is new construction.

I believe very strongly that day care should not be part of the local tax dollar, and unfortunately these child care amendments are not responding adequately to the needs across this province. They are going to contribute to further confusion. They are going to contribute to further inequality. I would suggest to the Minister of Education that she hold discussions with people throughout this province, with school boards, trustees, parents, child care workers, to determine how the needs of young children in this province can best be served. I would suggest that a long-range plan for the implementation of child care in this province be developed rather than the piecemeal fashion in which it is presently being approached.

However, I have a greater concern about what is being suggested here. I am very concerned about the downloading that is going to take place to the local taxpayer who is now going to be forced to pay for child care. Capital grant support was already lowered several years ago to 60% from 75%, so there is an increased cost to the local taxpayer. It is my understanding that it has been a long-standing NDP policy to remove education costs from the local property tax base. Well, this policy today clearly adds to the local tax burden, and we all know that property taxes are not based on the ability of a person to pay. Unfortunately, they hit those who can least afford them, those on fixed incomes, our seniors.

I hope as well, when the Minister of Education engages in discussions with people throughout this province concerning the development of a long-term child care policy, that she will take into consideration the additional costs school boards are also incurring at the present time that are not recognized. As school boards build more and more child care facilities, they also need to hire co-ordinators, and that cost at the present time is not being recognized.



The other concern I have about the child care initiative is that at the same time we are moving towards full-time junior and senior kindergarten. They are also very costly initiatives, and I would strongly recommend in the long-term planning that junior and senior kindergarten be co-ordinated with the child care policy.

In looking at the freedom of information, I would like to remind the minister that the collection, storage and retrieval of information are increasing administrative costs and the workload for school boards, and I hope that these additional costs will also be recognized.

Yes, although I agree with most of Bill 30, I feel it does address some of the problems, I am concerned about the child care amendments. I believe they will contribute to inequity and they will lead to increased local taxes. I believe very strongly there is a need for further consultation with all those throughout this province and they should be brought forward only at a later time as part of a long-term child care strategy that adequately reflects the real needs of the people in this province.

**The Acting Speaker (Ms Haslam):** Questions or comments?

**Mr Cousens:** A question. I was really impressed by the remarks that were made by my colleague the member for Waterloo North. Inasmuch as the Minister of Education is not even here to listen to her remarks, it is really a tragedy because we are here to have debate on an important issue and she has obviously brought a great deal of experience and personal background to the issue. But I am just wondering, is there any easy way around this other than all the dialogue she is suggesting. When the New Democrats talk about dialogue, it has to do with whether or not they talk to New Democrats, and if they are just talking to New Democrats—

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**Mr Perruzza:** On a point of order, Madam Speaker: I think there is something in the standing orders that pertains to talks about members referring to other member's absences in the House. I think the member opposite would be well advised to take that advice, because none of his caucus is there except for four other members. Oh, I see another one drifting into the House. He should pay attention to them.

**The Acting Speaker:** I am sorry, there is no point of order.

**Mr Cousens:** I guess the point is, maybe the honourable member for Waterloo North could give us some idea of what she means by consultation. She is almost encouraging the government to go on and on and on and not come and deal with anything. When they talk about consultation, they just sort of—the Minister of the Environment, when she has had a consultation session, she just gives orders. Would the member please give us some idea of what she means by consultation?

**Mrs Witmer:** When I talk about consultation, my concern is that during the last three years, whether it has been the Liberal government or now the NDP government, what I am seeing is a piecemeal approach to child care. I see a slow, slow move and a trend towards putting child

care responsibility into the hands of the educational authorities and school boards.

However, what I am most concerned about is the fact that it is also going to be another burden for the local taxpayer. It is further downloading, and if that is what the taxpayers in this province want, I feel they need to be able to speak to that, but I am not convinced.

**Mr Martin:** I really feel privileged to be here today to speak to this and also to respond to the member opposite, to let him know that one of the principles of the New Democratic Party is that we share the load and that we do actually consult and co-operate with each other. As the parliamentary assistant to the Minister of Education, I am here today to listen intently and to take notes so that I might share with her later some of the concerns, real concerns, raised by the members opposite in this debate, because we truly are interested in hearing what they have to say and to incorporate it into any legislation that we might be wanting to bring down.

I was impressed with the comments of the critics of the parties opposite. I thought they were very positive and constructive and will but add to our ability as a government to put in place legislation that really responds to challenges in communities, that has some substance.

This legislation comes to the House after much consultation by the previous government and by our government, and is an attempt to respond creatively and positively to suggestions made by people out there as to changes that should be made that would make it easier for them to do their job.

Overriding all of the pieces of legislation that we are introducing today are two principles that we as a government, as a party, wish to have as a foundation for anything that we might do in our tenure. It reflects our serious attempt to make sure that pieces of legislation across ministerial boundaries are in sync with each other, so that they are not in opposition or somehow out of sync with each other.

The second principle underlying the legislation that we are presenting here today—if members pay attention, I am sure they will see—is the thread that runs through all of the legislation that we will introduce into this House: Our wanting to share responsibility for the delivery of services, particularly education services, with the folks out there in the front row, in the trenches, in the community actually doing the job. So a number of the pieces of legislation that are here reflect our attempt to make sure that authority is given to the proper people in front of some of the questions that they have presented to us as ones of some real concern.

Having said that, I would like just to take a few minutes with members this afternoon to deal to some degree fairly technically with regard to each one of these pieces of legislation.

The first one is the conformity with freedom of information and protection of privacy legislation. The Freedom of Information and Protection of Privacy Act, 1987, requires that the collection of personal information by an institution, as defined in the act, be authorized by statute. Similarly, one of the conditions for the release of personal



information is that the release be authorized by statute. As of 1 January 1991, the same requirements apply to school boards under the Municipal Freedom of Information and Protection of Privacy Act, 1989.

The Education Act has to be amended to specify conditions for the collection and release of personal information contained in the OSR, Ontario student record. The Education Act, section 237, prohibits the release of information contained in the OSR to anyone other than the pupil, his or her parents or guardians, supervisory officers of the board and the principal and teachers of the school that the pupil attends. This amendment would permit the principal to release the names, addresses and telephone numbers of pupils and parents and the pupils' dates of birth to the medical officer of health. The medical officer of health requires this information to maintain up-to-date immunization records of pupils. Section 237 of the Education Act governs the establishment of and access to the OSR. An amendment to this section would authorize the continued collection of personal information for the purpose of the OSR. The freedom-of-information legislation prohibits collection of personal information.

The second piece of legislation here that I would want to respond to in perhaps a little more detail, because there certainly were some very, I think, legitimate concerns raised by the members who have spoken already, is the capital funding for child care facilities in new and replacement school buildings and board capital expenditures for child care facilities. This bill is in no way intended to address all of the child care issues in the province. Since April 1987, the government has been providing capital funding for child care centres in new and replacement schools. There has been no legislative authority to do this. This amendment is necessary to authorize this capital funding.

The amendment will also permit school boards to spend capital funds for the provision of child care facilities in any school building and levy taxpayers for the construction of child care facilities in existing schools. This bill does not put child care in the jurisdiction of Education. Education makes facilities available. The operation continues to remain under the jurisdiction of the Ministry of Community and Social Services. The Ministry of Education is looking at ways of providing more flexibility regarding where the child care facilities may be located. This bill does not introduce anything new regarding boards' ability to levy; it simply legitimizes what some boards are already doing. If space is available, boards can provide child care space. The Ministry of Community and Social Services provides grants to child care operations to renovate space for child care facilities in existing schools. Some boards do spend their own money, and this bill provides the authorization if that is the wish of the board and the community.

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Further consultation on child care issues will be taking place through Ministry of Community and Social Services. The operation of child care facilities is not the responsibility of the Ministry of Education, as I have said before, and ongoing collaboration between the Ministry of Education

and the Ministry of Community and Social Services will continue. Early childhood education programs for the three-and-a-half to six-year-old are being examined as part of the restructuring of education initiatives, and these initiatives will certainly be open to broad and wide consultation.

I personally was very interested in the comments by the critic from the Tory party in that she says they have some creative responses and ways of doing some fund-raising and raising some revenue for the provision of child care. I certainly would be most interested in hearing what those ideas are, and I am sure I speak for the minister when I say that, and this government, because it has been our stated intention since we got here to listen to and be partners with anybody who has the general wellbeing of the people of this province in mind.

Sharing by a public school board and a separate school board of sick leave gratuities of designated teachers, teachers transferred from public to separate boards, I think is a perfect example of our government trying to put into the hands of local authorities more ability to manoeuvre and to negotiate.

Subsection 136-1(20) of the Education Act provides for the sharing between public and separate school boards of the sick leave gratuities of designated teachers, teachers who were transferred to the separate system at the time of extension of full funding to separate secondary schools and who have subsequently terminated their employment with the separate school board. The sharing ratio is based on the teacher's length of service with each board and the method of calculation is specified in the Education Act.

In some cases, this ratio has not proven to be satisfactory to one or both boards. In the course of property and staff transfer dispute resolutions, some school boards have wanted to work out an arrangement different from the one stipulated in the act. This amendment would authorize the conclusion of such agreements where both boards agree to the terms.

The legislation which permits demonstration schools to offer programs for exceptional pupils with learning disabilities or with hearing or visual impairment is also an attempt by our government to expand some good work that was introduced by the previous government and make it more valuable to the people of Ontario.

Subsection 12(4) of the Education Act gives the minister the power to establish, maintain and operate demonstration schools for exceptional pupils with learning disabilities. Le Centre Jules Léger in Ottawa, which is the only demonstration school for French-speaking exceptional students, has expanded its program to include pupils who are hearing and/or visually impaired. The amendment would permit demonstration schools to offer programs of this nature and would improve the quality of education services to francophone students.

On the issue of copyright licence agreements, this amendment will provide the minister with the power to negotiate and to enter into licence agreements with copyright owners or their representatives. The purpose of the licence is to allow school boards easy legal access to the photocopying of copyright materials. In order for the licence to be implemented, it is vital that the minister have



legislative authority to sign and enforce the agreement. The federal government's copyright legislation is to be amended this year to allow for limited exemptions for education. These exemptions will not go far enough to allow the use of copyright materials for educational purposes.

That covers the spectrum of legislation that we introduced today. As an ex-trustee on a separate school board, I certainly see it as a step forward, a cleaning up of some issues that we had some concern about. As a parent of four children going to school in this province, I certainly see it reflecting a lot of the concerns that I have as a parent. And as a person who worked with young people outside of and as part of community school operations, it certainly answers a lot of concerns I had, particularly when we talk about the copyright licence agreement, where we often ran into trouble trying to show materials to students and not knowing whether we had permission or not. So I present this to members for their consideration and encourage them to support this legislation.

**Mr Cousens:** A question of the honourable member for Sault Ste Marie. When he is talking about being a parent and a former school trustee, he is probably then very aware of the new system that has already gone into effect in January where parents of 16- and 17-year-old young people in school are receiving a form that they can sign that would then give them permission, if they sign it, to see the OSR of that particular student.

Does the member have a child over 16 or 17 in that age group? No, he does not. Is he aware of the process that is now being followed on this and that in fact an awful lot of parents are not that thrilled at the power that is being given to a 16-year-old to determine what it is or what it is not that the parents can then see in his OSR?

When you talk about consultation, which is certainly one of the points that the member for Waterloo North has raised, it has to do with going back and talking to your friends and neighbours who have 16- and 17-year-olds, who are now being treated as children of majority. What they bring home the parents can sign, or the parents might never see the behavioural problems or the other things that are going on with those children.

When the member talks about this process, has he seen the forms that are coming home for parents to sign? Is he aware of the regulations and guidelines that exist within the ministry that have to do with that kind of signing process, the signing away of certain rights that parents up until now thought they had over 16- and 17-year-olds?

I would appreciate any background information he would have on the regulations that pertain to that. It has to be a factor, because in clause 236(d) it says, "in accordance with this act, the regulations and the guidelines issued by the minister." Could the member give us some feedback on those particular details?

**Hon Mr Wildman:** I just wanted to congratulate the member for Sault Ste Marie on his masterful presentation, and to also point out that I hope the Speaker might have had an opportunity in the last few moments to reconsider the ruling that my other colleague did not have a point of order when, in my view, in fact he did.

**Mr Tilson:** A question to the member for Sault Ste Marie. If members recall, in the last election one of the major issues was the problem that local property taxpayers are finding with respect to increasing taxes and the burden that is being downloaded from the province to the property owner. That is still going on. I am sure members are finding that is going on, and one of the issues that I am sure this member raised when he was running for office—or if it was not raised by him, someone else raised it in his riding—was the issue of day care being run by the school system.

Now I think that all of us here, or I would hope most of us here, would support the principle of day care, but that hopefully the principle of day care would be paid for not by the property owner but the overall taxpayers of this province. I do not know whether the member realizes that there is a tax revolt going on in this province, but I would like him to tell me whether he does and what he intends to do with it when he is adding this principle of day care by having the property taxpayer pay for day care in the province of Ontario.

**Mr Martin:** I certainly appreciate the comments of the members opposite. I think they raise some good points and perhaps at another time we could even discuss this further.

I am certainly interested and concerned about the issue re the 16- and 17-year-olds in high schools, because I worked with them directly as a professional over the last 15 years and certainly understand why some of the concerns are being raised now re that whole question of who has and does not have permission to look at what.

However, it is important to note that students' consent is not required for parents to see the OSR up to age 18. The Education Act authorizes the ability of parents to see the OSRs of any student under 18 years of age.

To respond to the question of downloading and shifting of responsibility re the funding of day care, this legislation in no way talks to that. It simply legitimizes something that is already going on and it allows local communities to make decisions about whether they want to provide day care for the parents and children of the people who live in their community and it does not in any way shift responsibility for day care from any other ministry into the Ministry of Education. I think it is important that the members see that clearly and understand that in the face of this legislation.

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**The Acting Speaker:** On second consultation with the table officers, it has come to our attention that the member for Downsview did have a point of order, and I am sure the member for Markham will refrain from making those statements in the future.

**Mr Ruprecht:** On a point of order, Madam Speaker: If you do not mind my asking, the question to you, since you made the decision in co-operation with the table officers, is what was specifically the charge that this honourable member made that was offensive? I always find it incredible, even though he may be of the opposite party, but occasionally we have to stick together.



Interjections.

**The Acting Speaker:** I have not recognized you. I am sorry. We will now continue with further debate. Anyone else continuing? The member for Mississauga West.

**Mr Mahoney:** Is he still looking for an answer? He is going to consult.

Interjection.

**Mr Mahoney:** Just take it easy. I do not want him to have a stroke or get too excited. I understand we are going to stick together. That makes me nervous.

**Mr Stockwell:** It makes you nervous? Have you looked around your caucus?

**Mr Mahoney:** Well, I am stuck with them. I am sorry. I do not have a choice in that one. If you think I am walking over there, you are nuts.

Madam Speaker, it is nice to see you.

**Mr Stockwell:** Read your button.

**Mr Mahoney:** My button says, "Kormos for Premier." I understand they are being printed by the thousands, and with regard to the legislation that is before us, I am sure the member for Welland-Thorold would support this legislation.

**Mr Ruprecht:** How much do they cost?

**Mr Mahoney:** Actually, I got mine for free.

I am sure that if the member for Welland-Thorold were the Premier, he would support this legislation. He is not the Premier and yet the legislation that is here before us—

**Mr Bisson:** On a point of order, Madam Speaker.

**The Acting Speaker:** Point of order from the member for Cochrane South.

**Mr Bisson:** I really appreciate hearing the comments of the honourable member across on Bill 30 and not on other issues.

**Mr Mahoney:** As I was saying, I believe that Bill 30 would be supported by the member for Welland-Thorold if he were the Premier, and that is all I was saying. However, he is not, so I want the members to know that I am supporting it.

**Hon Mr Wildman:** That is good logic.

**Mr Mahoney:** Well, I think that is fine. I agree with just about everything the member for Welland-Thorold has said this week, so I do not know why I cannot draw from that a conclusion that if he indeed supported this if he were the Premier, that I indeed support it whether I am or not. Do the members follow that?

**Mr Stockwell:** Yes.

**Mr Mahoney:** I do not.

**Mr O'Connor:** We have a spot for you up here.

**Mr Mahoney:** I have been up there. Are you kidding? I know what it is like to get a nosebleed up that high in the back benches. I am having a lot better time down here where the real work gets done.

Hi George, how are you?

**Mr Mammoliti:** Liberal pap.

**Mr Mahoney:** I am trying to talk; I am being interrupted. The member can see that.

Madam Speaker, with regard to Bill 30 you will be aware that in the last government the Premier created a committee called the select committee on education. That committee did, I believe, three reports.

**An hon member:** Four.

**Mr Mahoney:** Four. The fourth one I was not on because I moved over to finance.

**An hon member:** But you would have supported it then.

**Mr Mahoney:** I would have supported it then, sure, whether the member for Welland-Thorold was Premier or not.

But on the select committee on education we dealt with a number of issues and some of them are touched on in here. In particular, I want to talk about section 4 in the explanatory notes, which talks about demonstration schools, particularly for kids with learning disabilities or other handicaps who are challenged in various ways.

The learning disability system in our provincial education system—and this is not a partisan issue in any way whatsoever, because frankly I was not happy with the system under the Liberal government and I was not happy with the system under the Conservative government and I would hope that any members who would look into it would realize that it is not a good system operating to the benefit of kids with learning disabilities in many areas.

There are a lot of fine teachers, a lot of fine professionals trying to help kids with learning disabilities. The problem is that it is a system of intimidation. I am talking about this because I think it relates here to what I am disturbed about with this bill, the fact that this is all there is.

It seems to me that there are very, very pressing issues. In the minister's opening remarks she admitted that this was clearly nothing more than housekeeping. I appreciate the fact that housekeeping has to be done from time to time in various ministries, but there are so many critical issues in education that need to be addressed and it is disappointing to sit here when we sat over there for so long and listened to all of the criticism from these benches, all of the criticism—that was then—about 60% of the cost of education. This government was going to fix that. I know that was then, but I am talking about reports from the select committee—I will get into the financing end of it in a minute—which recommended that the IPRC review process, for example—let me share with the members.

One of my sons was identified a number of years ago as having a learning disability. Now, we have been through all of the interview processes that take place, my wife and I. What they do is invite you into a room with about 30 professionals, all of whom tell you they know exactly what they are talking about and they know exactly what is best for your son, and you do not know anything because you are just a parent and you are biased and you do not understand the system. They intimidate you with that stuff.

My wife is not easily intimidated, unlike me of course, so fortunately she was not prepared to take that nonsense and she fought and fought to the point where the only solution was to put him in another school.



It was very, very upsetting to see a publicly supported school system allowing that kind of intimidation to take place. I have had the arguments with the people in the board, and many of them are friends, and I have said it openly to them that I am very discouraged at that process. I hope that they took it to heart and I hope that they do not treat other parents in a similar way that my wife and I were treated.

But I do not see this minister addressing that issue, certainly not in this bill. I frankly am not sure this minister understands that there is a problem there. I do not know if the members of the NDP caucus understand that there is a serious problem there. You have to really have experienced to appreciate how frustrating it can be, because learning disabilities by no means mean that child cannot enjoy all the fruits and the benefits of our educational system. I know of many young people who have been diagnosed quite early with a learning disability and graduated from university. It is not unheard of. It is quite common these days, as a matter of fact, because there is such excellent education available to these young people.

But the bureaucracy within the system and the system under the review process and the whole thing really should be addressed clearly to allow for more input by parents, more education of parents, more understanding of the needs of the young people involved and a little less concern perhaps about the needs of the people conducting the interviews. But I do not see anything being addressed in this bill or in any other way in education.

I was not involved in the hearings during the break when committees met, and I understood people were coming upstairs aghast. They were saying, "We just heard the Honourable Minister of Education saying that 60% of funding for education includes the funding for teachers' pensions." I could not believe it. It seems to me I heard that somewhere before. A little bird somewhere told me that before. Did she say "approved costs?" Did she use that phrase? I do not know.

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**Mr Stockwell:** They are confused.

**Mr Mahoney:** I guess they are. I have certainly been willing to allow for the new Minister of Education to have a break-in period, but six months. Gimme a break. I think you—

**Mrs Sullivan:** She also said capital, ceilings.

**Mr Mahoney:** That is right. The member points out that she also included capital dollars in the 60% cost of education.

This bill, which I am going to get back to, authorizes the minister to provide funds to boards for the construction of child care facilities on school sites. There is a difference between authorizing the provision of funds and actually providing the funds. I have not seen any moves by this government. I am hopeful that our Treasurer, when he comes about with his budget, is going to announce some additional capital dollars for education. I would like to take him to some of the areas in my riding.

**Mr Stockwell:** It's your fault.

**Mr J. Wilson:** It's your fault, Steve. That's really stretching it, Steve.

**Mr Mahoney:** It is interesting to hear catcalls from my friends to the left, politically substantially to the right, because they indeed have the moniker of being known as the fathers and mothers of underfunding. It is not their fault. In fact it was our government that came in and increased the capital contribution by four times over what the last Tory government had given to capital dollars in education. They ignored it. Bill Davis ignored it and they know it. It took a Liberal government to get it on the right track and to correct the problem, but obviously we were not able to correct it overnight.

**Mr Tilson:** Look what happened to you.

**Mr Mahoney:** I am glad they get excited. I enjoy it. It just sort of goes right through. It does not bother me. It is fun.

But let me tell them that they should look back over the years. They should realize that for the entire province—let me give them a little statistic on capital funding. For the entire province of Ontario in the final year of the former Conservative administration, they allocated I believe it was around \$72 million for capital in the province. My riding alone in the final year of the Liberal administration received close to \$100 million, my riding alone. We actually quadrupled it.

Interjection.

**Mr Mahoney:** My colleague is saying we tripled it. We increased it by four times what they had done.

We put in place a system that allowed for annual contributions to be made, \$300 million a year to be made. We gave a five-year commitment of \$1.5 billion. We went to the school boards and we said, "We understand your problems," but even with all of that generosity, even with all of that recognition of how serious there was a problem in underfunding created by our right-wingers over here, we could not solve it in the short time that we were in government.

This government has got to do something. Coming in with a bill that simply authorizes the minister to spend some money is really unfortunate. Do not get me wrong, I am going to support it. It is a little bit like apple pie. How can you go against something like this? They are going to have demonstration schools authorized for kids with learning disabilities. Wonderful, important, but it does not solve the problems that the education system is facing in this province.

It is particularly frustrating to have a new minister from a government that—I am sure it was in the agenda for power that they were going to take it to 60%, right? Are the members opposite not embarrassed? They must have gone around the province to their all-candidates meetings and stood up there and said, "I have this Agenda for People and it says we're going to go to 60% for education costs." Did it not say that? I think it did.

It said that, and the member for Cochrane South must have stood there and said, one hand on the Bible, "We are going to increase funding for education"—not capital, not teachers' pensions—"to 60% of the cost." The member



made statements like: "Property taxation is regressive. You should not have to fund education taxes on the property tax rate." Did the member say something like that? Close, right?

**Mr Bisson:** Give us a chance.

**Mr Mahoney:** Give us a chance. The member's own minister comes into a committee meeting and says it includes capital and it includes teachers' pensions and it includes—it is unbelievable. Does that mean that when the Premier stood up and called the former Premier of this province a liar, we should do the same thing now? It is unparliamentary; I would not do it in here.

I can only assume, though, one of two things: Either the members have all collectively changed their minds about 60% of the costs of education. The Minister of Natural Resources is nodding, the honourable member is agreeing with me. Now he is not agreeing with me. Would he make up his mind? I just want an answer out of this. Either they have changed their minds and decided that they were wrong and it should not be 60% or they lied. No, they did not lie.

**Mr Perruzza:** Mahoney, your tie is blue today.

**Mr Mahoney:** Tony, go and order some more business cards. Get out the literature with NDP all over it. Jeez. Who is this guy?

Anyway, I have some trouble understanding. Did the member for Yorkview stand with one hand on the Bible and swear to the voters that he was in support of the cost going to 60%? I do not know if he did or not.

**Mr Stockwell:** I do not think he understood it.

**Mr Mahoney:** No, you are probably right.

I guess that is probably the point. Half of the members opposite did not read the agenda for power until after they got elected and they thought, "Holy smokes, I better find out what I did here." I hope they put the agenda out with some crayons.

**The Deputy Speaker:** Order, please.

**Mr Perruzza:** It's about time.

**The Deputy Speaker:** Please.

**Mr Mahoney:** Anyway, you can understand, Mr Speaker, why I have such difficulty with this. They are simply saying they are going to provide funds, give the minister the authorization to provide the funds, but nobody is saying she is actually going to do it. That is what we would like to see in this party: Come out with something substantive for a change. The minister can consult and she can dialogue. The select committee on education did some excellent reports. I would recommend them to the minister for some late-night reading.

I think she will find, if she has not had an opportunity to read them, that there are some very, very good suggestions made by the former member, the man I always refer to as the best Education minister the NDP never had, Richard Johnston, recommendations made by Mr Johnston that were supported by the Liberals on the committee, that were even supported by the Tories on the committee. It was a very productive committee that went around the province, that listened to people, that was really very non-

partisan, because we all recognize that the education of our kids is not something that should be dealt with from a policy perspective on a partisan basis.

The minister needs to get serious about attacking the underfunding that I referred to that was caused by the former Tory government and follow the lead and pick up the torch and carry it to solve the problems.

**Hon Mr Wildman:** I thought there was a Liberal government in between.

**Mr Mahoney:** There was one and we helped it a lot. I told members that already. Jeez.

1740

**Mrs Y. O'Neill:** They want you to say it all over again, Steve.

**Mr Mahoney:** You want me to say it all over? I have to start again? Anyway, Kormos for Premier. We are going to hand these buttons out all around the place.

I really will be, and I think my colleagues will be, supporting this legislation but I would ask, in all seriousness, that this minister come up with some legislation that has some teeth in it; that I hope he is successful when he sits around a cabinet table and he talks to the Treasurer. I hope he is successful in getting his attention, because our education system is in serious jeopardy.

I am not sure if the minister is aware of it: when he was not here I talked about the problems with learning disabled kids and the lack of attention that has been paid. Not a partisan issue, not happy with what our government did not happy with the Tories, and so far I see nothing to make me happy with the minister, but I would be delighted to stand up in this House and commend him for bringing in reforms to the IPRC review process and to other areas of learning disabilities to make it a more understandable, accessible program for parents and for kids.

I would be delighted to see him attack the select committee recommendation on the streaming issue, that the government at least delay past grade 9 and perhaps even, at the option of the local board, into grade 10 the decision on streaming. He may want to go further with that, but I would like to see at least those kinds of things implemented because when a child, especially an only child—when that parent has to make a decision—usually at the age of 13 in grade 8, facing the intimidating transfer of going from elementary school to high school, going from a school of 300 or 400 kids to a school of 2,000 kids with 22 portables on the site, very intimidating to these youngsters, very intimidating to the parents who do not understand exactly what is taking place.

I hope he is going to come in with some substantive reforms in those areas and I hope he is going to address the financial underfunding in the area of capital that I have referred to. Much of it has been helped by the former government, under the Liberals, to resolve the problems created by the Tories, but we need more for our educational system.

**Mrs Cunningham:** I find the remarks of the member somewhat contradictory and also, although I find them somewhat interesting, I would like to put on the record, as he draws reference to the track record of our government



ver some 42 years, that, in fact, we were the government that did build the schools and the colleges and the universities. Things have changed in the last decade and I do not think that any government is going to have an easy job of responding to the needs of society today, and I think the best way to solve problems is to move to the future and work together.

I would also like to make a comment on the speech by the member, the Liberal member, when he talked about downloading. When this child care paper was introduced, we seriously supported the directions. We understood that we had to get started somehow but the cost of building the child care facilities were downloaded at that time. We think that the government of today has an opportunity to look at a different way of funding and we want to be part of the discussion. In fact, I did not see him voting against the New Directions for Child Care, I saw him supporting them.

On a serious note, I think that this piece of legislation today begs further discussion. We would hope that the minister would even consider withdrawing the two parts of the bill that relate to child care.

I have another question at the appropriate time for the parliamentary assistant. I think he was somewhat helpful in answering one of our questions but we have further clarification that is necessary at the appropriate time.

**The Deputy Speaker:** Thank you. It is close to 5:45. I have to allow the member for Mississauga West to answer immediately because I have the order to proceed with the vote at 5:45.

**Mr Mahoney:** May I make some brief comments and allow my colleague to finish up within the two minutes?

**The Deputy Speaker:** I just said I would allow you personally to respond to the comments, and that is it. Two minutes.

**Mr Mahoney:** I will do it now, it is okay. I appreciate your assistance, sir.

**The Deputy Speaker:** If you would prefer to do it tomorrow, I would allow you to do it.

**Mr Mahoney:** The member for Mississauga South says I will have forgotten it by then, but I could always start all over again at the beginning and that would help me. I find it interesting how, at times, my dear friends in the Conservative caucus get so sensitive. They get so sensitive when we tell the truth. The Treasurer will recall the days, as I said, in the last year of the Conservative government, when the total allocation for capital dollars in the entire province was \$72 million. When we took over, we increased it to four times the amount. The Treasurer is agreeing.

Interjections.

**Mr Mahoney:** You see how excited they get. We gave a five-year agreement. Now, the message is not to fight these guys. The message is to talk to members over there.

Interjections.

**The Deputy Speaker:** Order. The member for Mississauga West.

**Mr Mahoney:** No, no. The fact is I am glad the Treasurer is here, because I was talking to the Minister of Education in the hope that he is extremely friendly with the Minister of Education. I would hope that the Treasurer would take the minister out to dinner and listen to the needs, listen to the requirements, especially in the growing communities. We have a very serious problem in our high-growth communities and we need his attention. It is fine for the Minister of Education to feel passionately and strongly, which I hope she does, about education and the costs of education. I would hope that is true. I am getting this coaching here. But it is important that the Treasurer listens to that lady when she sits at the cabinet table and says, "We need more money."

**An hon member:** Give her the money.

**The Deputy Speaker:** Obviously, spring is here. Order, please.

Yesterday, pursuant to standing order 27(g) the division on the motion for the adoption of the report of the standing committee on general government on Bill 4, An Act to amend the Residential Rent Regulation Act, 1986, was deferred until 5:45 this afternoon.

1754

#### REPORT, STANDING COMMITTEE ON GENERAL GOVERNMENT

The House divided on the motion for adoption of the report of the standing committee on general government on Bill 4, which was agreed to on the following vote:

#### Ayes—66

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Drainville, Duignan, Farnan, Ferguson, Fletcher, Gigantes, Haeck, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock, S., North, O'Connor, Owens, Perruzza, Philip, E., Pouliot, Rae, Rizzo, Silipo, Sutherland, Ward, B., Ward, M., Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson, F., Wilson, G., Winninger, Wiseman, Wood, Ziemba.

#### Nays—37

Arnott, Beer, Brown, Carr, Conway, Cousens, Cunningham, Daigeler, Eves, Grandmaitre, Harnick, Harris, Henderson, Jackson, Jordan, Mahoney, Marland, McClelland, McGuinty, McLean, McLeod, Micalash, O'Neil, H., O'Neill, Y., Poirier, Poole, Runciman, Ruprecht, Sola, Sorbara, Stockwell, Sullivan, Tilson, Turnbull, Villeneuve, Wilson, J., Witmer.

Bill ordered for committee of the whole House.

The House adjourned at 1759.



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
<b>Akande, Hon Zanana L.</b>	St Andrew-St Patrick	NDP	Minister of Community and Social Services
<b>Allen, Hon Richard</b>	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
<b>Boyd, Hon Marion</b>	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
<b>Buchanan, Hon Elmer</b>	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
<b>Carter, Hon Jenny</b>	Peterborough	NDP	Minister of Energy
<b>Charlton, Hon Brian A.</b>	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economic Development
<b>Churley, Hon Marilyn</b>	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
<b>Cooke, Hon David S.</b>	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
<b>Coppen, Hon Shirley</b>	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
<b>Farnan, Hon Mike</b>	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
<b>Gigantes, Hon Evelyn</b>	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
<b>Grier, Hon Ruth A.</b>	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haack, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
Impton, Hon Howard	Rainy River	NDP	Attorney General
Insen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
Irnick, Charles	Willowdale	PC	
Irrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Irris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Islam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Iyes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Anderson, D. James	Etobicoke-Humber	Lib	
Ipe, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Iiget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Janson, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Janson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Jopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Jormos, Peter	Welland-Thorold	NDP	
Jvinter, Monte	Wilson Heights	Lib	
Linkin, Hon Frances	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
Lughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lissard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
MacKenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
McLash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
<b>Philip, Hon Ed</b>	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
<b>Pilkey, Hon Allan</b>	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
<b>Pouliot, Hon Gilles</b>	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
<b>Rae, Hon Bob</b>	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
<b>Swarbrick, Hon Anne</b>	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
<b>Wark-Martyn, Hon Shelley</b>	Port Arthur	NDP	Minister of Revenue
<b>Warner, Hon David</b>	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
<b>Wildman, Hon Bud</b>	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Zimba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

## COMMITTEES OF THE LEGISLATIVE ASSEMBLY

### STANDING COMMITTEES

#### Administration of justice

Chair: Drummond White  
 Vice-chair: Mark Morrow  
 Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Fred Wilson, David Winninger  
 Clerk: Lisa Freedman

#### Estimates

Chair: Cameron Jackson  
 Vice-chair: Margaret Marland  
 Members: Gary Carr, Hans Daigeler, Ron Hansen, Karen Haslam, Wayne Lessard, Dalton McGuinty, Lyn McLeod, Anthony Perruzza, Margery Ward, Gary Wilson  
 Clerk: Franco Carrozza

#### Finance and economic affairs

Chair: Jim Wiseman  
 Vice-chair: Ron Hansen  
 Members: David Christopherson, Norman Jamison, Monte Winter, Gerry Phillips, Norman W. Sterling, Chris Stockwell, Barbara Sullivan, Kimble Sutherland, Brad Ward, Margery Ward  
 Clerk: Todd Decker

#### General government

Chair: Remo Mancini  
 Vice-chair: Michael A. Brown  
 Members: Donald Abel, Gilles Bisson, Dennis Drainville, Noel Duignan, Margaret H. Harrington, George Mammoliti, Bill Murdoch, Yvonne O'Neill, Ian G. Scott, David Turnbull  
 Clerk: Deborah Deller

#### Government agencies

Chair: Robert W. Runciman  
 Vice-chair: Allan K. McLean  
 Members: James J. Bradley, Robert Frankford, Bernard Landmaître, Karen Haslam, Pat Hayes, Dalton McGuinty, Tony Silipo, Chris Stockwell, Daniel Waters, Jim Wiseman  
 Clerk: Douglas Arnott

#### Legislative Assembly

Chair: Noel Duignan  
 Vice-chair: Ellen MacKinnon  
 Members: Mike Cooper, Robert Frankford, Margaret Marland, Irene Mathysen, Carman McClelland, Gilles E. Morin, Sharon Birdock, Hugh P. O'Neill, Stephen Owens, Noble Villeneuve  
 Clerk: Douglas Arnott

#### ombudsman

Chair: Mark Morrow  
 Vice-chair: Drummond White  
 Members: Alvin Curling, Noel Duignan, Joan M. Fawcett, James Henderson, Bob Huget, George Mammoliti, Irene Mathysen, Bill Murdoch, Paul Wessinger, Elizabeth Witmer  
 Clerk: Franco Carrozza

#### Public accounts

Chair: Robert V. Callahan  
 Vice-chair: Dianne Poole  
 Members: James J. Bradley, Brian A. Charlton, Sean G. Conway, Mike Cooper, W. Donald Cousens, Pat Hayes, Paul R. Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson  
 Clerk: Tannis Manikel

#### Regulations and private bills

Chair: Kimble Sutherland  
 Vice-chair: Lawrence O'Connor  
 Members: Donald Abel, Will Ferguson, Derek Fletcher, Paul R. Johnson, Leo Jordan, Ellen MacKinnon, Frank Miclash, Tony Ruprecht, John Sola, Jim Wilson  
 Clerk: Todd Decker

#### Resources development

Chair: Bob Huget  
 Vice-chair: Daniel Waters  
 Members: Ted Arnott, Brian A. Charlton, Marilyn Churley, John C. Cleary, George Dadamo, Leo Jordan, Paul Klopp, Steven Offer, David Ramsay, Len Wood  
 Clerk: Harold Brown

#### Social development

Chair: Elinor Caplan  
 Vice-chair: Joseph Cordiano  
 Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer  
 Clerk: Lynn Mellor

### SELECT COMMITTEE

#### Ontario in Confederation

Chair: Tony Silipo  
 Vice Chair: Gilles Bisson  
 Members: Charles Beer, Marilyn Churley, Ernie Eves, Charles Harnick, Margaret Harrington, Gary Maldowski, Steven Offer, Yvonne O'Neill, Fred Wilson, David Winninger  
 Clerk: Tannis Manikel

### SPECIAL COMMITTEE

#### Parliamentary Precinct

Co-Chair: David Warner  
 Co-Chair: Noel Duignan  
 Members: Dianne Cunningham, Remo Mancini, Irene Mathysen  
 Clerk: Smirle Forsyth



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# Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Thursday 21 March 1991

# Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Le jeudi 21 mars 1991

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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### **Table des matières**

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 21 March 1991

The House met at 1330.

Prayers.

## MEMBERS' STATEMENTS

### VOLUNTEER OF THE YEAR

**Mr Daigeler:** Yesterday I had the honour to attend this year's Outstanding Volunteer Award ceremony in the Lieutenant Governor's suite. Dieter Kiesewalter, a personal friend of mine and eminent member of Ottawa's German Canadian community, was one of the 15 recipients from among the over 100 nominations received this year.

Dieter Kiesewalter exemplifies the best tradition of German Canadian immigration to this province. He has been the visionary behind many activities of his community over the past 20 years. Whether devoting his tremendous talents to theatre or music, to multiculturalism, to heritage-language training or to charity and church work, Dieter Kiesewalter has played both a guiding and an inspirational role.

In all of his endeavours he has promoted the rich cultural heritage of German Canadians and strengthened their contribution to Canada's economic and cultural life for the benefit of all.

His extraordinary volunteer contribution and that of his whole family to the common good has touched many lives, bringing them joy, new knowledge and a sense of purpose. As the award citation said, "Mr Kiesewalter personifies both the spirit and the purpose of the Outstanding Achievement Award."

I am sure my colleagues wish to join me in congratulating Dieter Kiesewalter and his family for this special recognition and in thanking him for his dedicated service.

### SOCIAL WORK

**Mr Jackson:** Ontario is the only province in Canada without some form of regulation for the practice of social work. For six years, thousands of social workers, the public, a coalition of 50 province-wide social service providers and, more recently, community colleges have lobbied the government to enact legislation to protect the public.

Last June the member for York North, the former Minister of Community and Social Services, announced in the Legislature after questioning from our party that the government would move ahead with the regulation of social work and other social service practices.

A Toronto Star editorial aptly stated, "Any Tom, Dick or Jane can hang up a shingle and call him or herself a social worker, surely that's not right."

This is exemplified by the fact that a convicted child molester has legally opened a child care and counselling service in Kitchener-Waterloo. I am shocked that this horrible story has not convinced the new Minister of Community and Social Services that regulation of the practice of social work is an absolute necessity.

The Premier, as leader of the third party, in 1987 supported regulation of social workers. He stated in response to an election questionnaire that, "Regulation of the social work profession is an important way to prevent adverse physical, psychological and social consequences for Ontario consumers."

Regulation of the practice of social work would go a long way towards protecting our children and families. It is tragic that public protection is not a priority for the new Premier, not a priority for this NDP government, nor for the minister responsible for protecting children in Ontario.

### COMMUNITY NEWSPAPERS

**Mr Mills:** Today is Rural Dignity Day for Rural Revitalization. I would like to take a moment to talk about the importance of community newspapers in rural and small communities and the current threat to their survival.

Living in and representing a smaller community, I know how vital community newspapers are. Often they provide the only source of local news to residents. These newspapers cover all sorts of local board meetings—everything from school to library to police boards—keeping them more accountable in the public eye. They also include human interest stories and news and information on current happenings.

There are approximately 350 community newspapers across Ontario which provide this valuable service. Durham East is served by the Orono Weekly Times, the Canadian Statesman, the Newcastle Independent, the Whitby Free Press, the Port Perry Star and the Oshawa-Whitby This Week.

Today community newspapers are facing a new threat to their survival. This month Canada Post drastically increased postal rates for weekly newspapers. The Canadian Statesman, for example, faces an immediate increase of 508%, or \$35,000 a year. Other community newspapers face similar increases and may be forced to close.

In support of this, I urge all members to phone the minister responsible for Canada Post, Harvie Andre, at (613) 992-6124 to demand that these rate increases be reviewed, and I call on those members to call their friends in Ottawa to get rid of this terrible piece of legislation.

1340

### MUNICIPAL FINANCES

**Mrs Caplan:** Today the Minister of Municipal Affairs released the long-awaited report of the advisory committee to the minister on the provincial-municipal financing relationship, originally known as the Ballinger-Hopcroft committee.

It focuses on the need for greater accountability by the province and the municipal governments to the people of Ontario and a clearer definition is called for of each government's role and responsibilities.

The report makes 39 significant recommendations, including the fact that municipalities should have more



responsibility for strictly local services, such as roads, that the province should pay the full share of programs which redistribute income such as welfare, and it calls for some tax restructuring.

While it took two years of consultations for this major report to be completed, the recommendations reflect the current sense of urgency municipalities have about services, costs and taxes. Regional chairmen, mayors and councillors whom I have met across the province say that they want the government to act quickly on this report.

What is the response from the minister? He has stated publicly today that the government is beginning a new six-month consultation with municipalities and school boards and the report will then go to the NDP Fair Tax Commission.

This is just a delaying tactic and a clear signal that this government is not committed to implementing the Hopcroft report. It is not listening to the critical issues and the immediate needs of the municipalities. Get on with implementing the recommendations.

#### HEALTH SERVICES

**Mr Arnott:** Once again I want to bring to the attention of this assembly an exceptionally serious problem in my riding. The community of Mount Forest is in peril of losing one of its most critical services, the emergency department of the Louise Marshall Hospital.

As a result of a disagreement with the hospital board, four Mount Forest doctors ceased working in the emergency department at the end of December. Through a special arrangement with the Ministry of Health, locum physicians have staffed the emergency department since the beginning of this year. This arrangement will expire at the end of April. The hospital will then have little choice but to close the emergency department. Without that department, it is questionable whether the hospital itself will remain open, unless an agreement is reached.

I submit that there would not be a health care crisis in Mount Forest today if the Minister of Health were willing to recognize that in rural Ontario the challenge of providing health care services is extraordinary. Because of the unique demands placed on doctors in rural practice, small communities often have great difficulty attracting new doctors to serve their residents. Those doctors who do choose rural practice forgo the benefits of urban life and face heavy and difficult workloads. Rural hospital boards also face challenges unlike their urban counterparts. Local demands for health services have increased while Ministry of Health funding has not kept pace.

The emergency facilities at Louise Marshall are called upon to respond to critical, life and death situations, such as farm, automobile and industrial accidents. For the community of Mount Forest, often isolated in winter, with many tourists in summer and a significant Mennonite community, the demands on its health care system are significant and different.

I call upon the Minister of Health to immediately acknowledge that rural health care poses unusual challenges for rural doctors and hospitals. The minister must respond

with new policies which recognize these challenges and will provide incentives consistent with this fact.

#### COMMUNITY NEWSPAPER

**Mr Bisson:** I rise today with great pleasure. A milestone happened in the community of Timmins last Sunday. For the first time in over 20 years, we have a weekly paper that is being distributed through our riding in the community of Timmins.

I think this marks a couple of interesting points. I am a firm believer in good competition and being able to get the best out of all the services, and I think it will be good for the newsworthiness in regard to the whole area, talking about the issues of the community of Timmins and the riding in general.

I note that the paper is run and operated by a group of individuals, that it is owner-operated, which is a very refreshing thing to see. People from varying journalism areas, from television, from radio and from newspapers, have got together to start up this new weekly newspaper. It is owned by the employees themselves.

I may add that the stories they carry are interesting. Because it is a weekly paper, it has the opportunity to be able to look at issues in a very concise way to inform the readers of what the issues are within our community.

I also add that they have very good choice in the selection of pictures they put in. Members will notice mine is there, so I am quite happy.

So I would like to congratulate the staff of the paper and the people who worked on a job well done, and hope and wish them the best over the next number of years to a very successful endeavour.

#### SENIOR CITIZENS

**Mr Mahoney:** As the Liberal Party critic for senior citizens' affairs, I am quite concerned about the lack of attention that this government is paying to issues of concern to senior citizens.

This morning in the media studio, the Ontario Long Term Residential Care Association conducted a press conference expressing concern about the Minister of Housing including their facilities in his green paper on rent control. They are not opposed to being regulated and they are not opposed to having a cap put on rent increases to the residents, but they are concerned about the methods of consultation, or should I say non-consultation, that seem to have become a hallmark of this government.

To date, the minister has not met with this group and he has had to fight tooth and nail to get an opportunity to be heard during some of the supposedly public consultation sessions the minister is conducting. The minister responsible for senior citizens' affairs seems to be missing in action. Perhaps it is because this government has lumped senior citizens' affairs under the banner of Citizenship and race relations and is not giving it the attention it deserves and the attention our senior citizens deserve.

I call upon the minister responsible for senior citizens' affairs to speak up on behalf of seniors. I would like to know what actions have been taken regarding long-term care, regarding recommendations of the Lowy report



deed regarding any issues of concern to seniors. The seniors are waiting to hear from the minister and so are we in this Legislature.

#### IAN SORBIE

**Mrs Cunningham:** I rise today to pay tribute to Ian Sorbie, the owner of the Il Fornello restaurant chain in Toronto. Mr Sorbie has generously underwritten the cost of a breakfast program for the children at Roden elementary school in Toronto. Each day, 168 children receive a nutritious breakfast at a cost of \$150 a day, \$750 a week.

It is estimated that one in six children in this province lives in poverty. Studies have demonstrated that there is a relationship between hunger and the ability of children to excel at school. Mr Sorbie, recognizing this problem, came forward and, working with teachers and administrators, established this wonderful program.

He feels that his experience can now serve as a model that could be replicated in other schools throughout the province. I agree, and during last summer's election my party endorsed the establishment of a breakfast program for elementary school children in partnership with the private sector. I encourage the minister to begin consultation with others in the business community who wish to work with educators to establish breakfast programs.

Let me once again thank Mr Sorbie for his generous commitment to the children at the Roden school. Thank you.

#### SUDBURY LAND RECLAMATION

**Ms S. Murdock:** I am so very proud to represent the City of Sudbury, as are the member for Nickel Belt and the member for Sudbury East. Together, we form the regional municipality of Sudbury, and outsiders are finally learning that Sudbury is no longer dirty superstacks and slag. We are one of the 10 best cities in Canada in which to live, and Chatelaine has announced that to the world.

However, last Wednesday night the region honoured 80 volunteers in our city who for the past 12 years have served on the Vegetation Enhancement Technical Advisory Committee—VETAC for short. What they have done over the past 12 years is regreen our city. They have regreened by planting one million trees over 4,000 hectares of land. They have done all kinds of reclamation and cleanup projects because of the mining and logging that have been done over the years in our region. We have won four awards in our city, the Lieutenant Governor's Award and the Canadian Award. Thank you.

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#### JOHN MacBETH

**Mr Sterling:** I would like to ask for unanimous consent to pay tribute to a former member of the Legislature who died yesterday.

Agreed to.

**Mr Sterling:** I would like to pay tribute to John MacBeth, who was a former member for York West who passed away in Tulsa, Oklahoma yesterday while on vacation.

I met John when I came to this Legislature in 1977. From 1971 until 1981 he served as a member of the Ontario Legislature for the Progressive Conservative Party. He held a wide array of posts while in government. He was Minister of Labour; he also was Provincial Secretary for Justice and Solicitor General. In 1980, during one of the most important times in our history, he became chairman of the select committee on constitutional reform, which we have heard about coincidentally today.

John also served in many other public positions during his lifetime. Before coming to Queen's Park, he was reeve of Etobicoke. After he finished as member for York West for this Legislature, he became a vice-chairman of the Ontario Police Commission.

I have many, many fond memories of John MacBeth. John was a very large man who loved the outdoors and he loved life. He was extremely well liked in this Legislature, Mr Speaker, as you will remember—you knew him yourself—and I believe he was one of the most respected members of this House. I think this was due in fact to the manner in which he carried himself. He was a straightforward person, but he was a very fair person. Most of all, I remember John MacBeth for his class and the fact that he could best be described as one of the most outstanding gentlemen of this Legislature.

In that regard I can remember when John MacBeth was dropped from the cabinet in 1978, and the class of John MacBeth was that he was not angry at the Premier of the day. He understood the process, and I can remember seeing him after the swearing in of the successor to his post when that took place.

I am pleased to have had the chance to serve with John MacBeth for a four-year period, from 1977 to 1981, and I would like to take this opportunity to offer on behalf of my party sincere condolences to his wife, Ruth, his family and his many, many friends. Thank you very much.

**Mr Conway:** On behalf of my colleagues, I want to join other members of the Legislature in expressing our regret and paying tribute to the late John MacBeth.

For me, it is a bit ironic that John's passing should be observed today, on this, the occasion of the tabling of another report from another select committee on constitutional reform, because that is where I really got to know the former member for York West. It was, as my friend from Carleton has rightly observed, in the summer of 1980 that John chaired, I guess, the first select committee we have ever had here on the subject of constitutional reform, and his conduct in that very difficult matter was exemplary, as his conduct was throughout a long, very distinguished public life.

John was someone who, as the member for Carleton has rightly observed, was a kind and a courtly gentleman who, no matter how heated the debate became, was always very civilized in his response and very tolerant in his participation. I would think that of the many things that might be said of John MacBeth, surely his greatest legacy, both locally in Etobicoke and here in the province, his legacy for me, would be his commitment to and his deportment within the arena of public life.



**Hon Mr Farnan:** As the honourable members may be aware, John MacBeth was the Ontario Solicitor General from 1975 to 1978, and died yesterday while on vacation in Tulsa, Oklahoma.

His life was one of commitment and dedication to community service. In the Second World War, he saw service with the Royal Canadian Navy. He had been president of the Ontario division of the Canadian Cancer Society and chairman of the board of education in Etobicoke before joining the Ontario Legislature in 1971 as the representative from Etobicoke.

John MacBeth was a gentleman well respected by all parties during his distinguished legislative career. He served as Minister of Labour from 1974 to 1975 and then as Provincial Secretary for Justice before being appointed Solicitor General in 1975.

In his role as Solicitor General, John MacBeth became well known to Ontario's police community. His interest in police training and operational matters was highly respected by police officials throughout the province.

Following his retirement from the Legislature, John MacBeth was named vice-chairman of the Ontario Police Commission in 1982. His responsibilities included the operation of the Ontario Police College and the career development branch and the complaints function of the commission. In this role he also chaired a select committee that prepared the highly regarded, comprehensive report on police pursuit that laid the foundation for the tight police pursuit guidelines we have in Ontario today.

John MacBeth was a congenial man who earned the respect of all those who knew him both professionally and personally. I am sure all members of the House join me in extending to his wife, Ruth, and family our sincere sympathies.

**The Speaker:** Your comments about this kind and gentle man who served with distinction on behalf of the people of Ontario will be conveyed to his family.

#### RACE RELATIONS

**Hon Ms Ziemba:** On a point of order, Mr Speaker: I would like to have unanimous consent to observe a very important day. All agreed?

Agreed to.

**Hon Ms Ziemba:** Today, 21 March, is the International Day for the Elimination of Racial Discrimination. It has been 25 years since the United Nations proclaimed this annual observance, yet racial discrimination remains deeply entrenched around the world. Ontario is no exception. One in 10 Ontarian residents is a potential target of racism as a racial minority or as an aboriginal person.

It is important for us to acknowledge that racism exists and comes in all forms. Racism is not just simply the outbursts of racial slurs or graffiti. Indeed, it is not simply the outspoken denial of jobs or housing because of colour or cultural background. It is much more than that. It is the unspoken—the systemic denial of access, and exclusion.

In my recent trips to northern Ontario I have seen the distressing realities of racism. These realities which are faced by the first nations include deplorable housing conditions and an 80% to 95% unemployment rate in some

communities. These are inequities and poverties which are not there by coincidence, but they are injustices brought on by institutionalized racism.

In major urban centres the examples of systemic barriers to employment are abundant. Some employment agencies have been able to exclude applicants on the basis of their skin colour, accent and/or cultural background. This is an example of talent which is wasted and abused.

It is both a painful and a dehumanizing experience to be on the receiving end of racial discrimination. Racism like sexism, is about an imbalance of power. To confront systemic discrimination, we need systemic approaches.

On this landmark day, I would like to reaffirm our government's commitment to eliminate racial discrimination. Mandatory employment equity legislation, which we are working hard to bring to the Legislature in both the private and public sectors, will definitely be part of the solution. We will also be bringing to the Legislature in the very near future a comprehensive and concrete plan for combating racism. This government will act.

We should never forget that this is the anniversary of the Sharpeville massacre. In 1960 over 60 people were killed for demonstrating against the pass laws of South Africa. This is what racism causes.

Last Tuesday I was in Kenora where I attended the conference of Treaty 3 chiefs in commemoration of the 25th anniversary of the Kenora march. That march was staged to demand justice and peace based on dignity and equality. I would like to end with their message, "Let us not institutionalize racism; let us institutionalize respect."

1400

**Mr Curling:** The International Day for the Elimination of Racial Discrimination marks the anniversary of the Sharpeville massacre in South Africa. It was in 1966 that the United Nations declared that this day should be marked.

In 1983 the General Assembly of the United Nations called upon all states and organizations to participate in the program of action for the second decade to combat racism and racial discrimination.

It is important for Canadians to be aware of the nature and scope and the impact of racial discrimination in our society. As Mr Yalden, the Canadian human rights commissioner, so accurately and forcefully observes in his recent report, racism and bigotry are alive and well in Canada.

Quoting from the annual report of the Canadian Human Rights Commission:

"The daily chronicles of the media make it plain that we are far from immune to xenophobic attitudes.... What is one to make in 1990 of the desecration of cemeteries and places of worship? Or of the sale of pins and posters aimed expressly at promoting racial or religious intolerance? Or of white supremacist rallies that harken back to the heyday of the Ku Klux Klan and reach the same atavistic drive?"

There is more. People are being denied jobs because of their race, because of the colour of their skin. Students are being streamed away from the education that they need for



sons that sometimes have little to do with their abilities and potential. This is not a day for more platitudes. As I recall the Sharpeville massacre and as I look to the events of the past year described in the commission report, I am overwhelmed by sadness and anger.

Today in this House, we will be discussing the future of our Confederation. I must ask what indeed is the future of our nation if we do not wrestle this intolerance that tears us apart. This morning I attended a function in the East York community and heard young Canadians of all races from the Holy Cross school sing the anthem, "O Canada, we stand on guard for thee." I ask all members in this House to reflect on that, "We stand on guard for thee."

I do not believe that we will today or tomorrow or even the next day eliminate racial discrimination, nor do I believe that legislation can change the hearts of those who have chosen to hate. I do believe, however, that we should not allow destructive discriminatory behaviour to be rewarded. We continue to create large bureaucracies and agencies to combat racism and racial discrimination without giving them the resources or sometimes the respect necessary for them to function effectively.

What then must I make of the flippant remark made by the Vice-Chairperson of the standing committee on the ombudsman? When asked about the committee, he said that it is not a pressing committee.

The Ontario Human Rights Commission is staffed by many dedicated and sincere people, but they are being crushed by a backlog of cases without new resources to deal with the backlog. They are in effect allowing discrimination to go unpunished. What kind of message is this? As Martin Luther King said, and it has been quoted many times in this House: "Legislation cannot change hearts. It can only restrain the heartless."

I ask again of this House too, as we look at many of the policies and rules and regulations and laws that we bring here for employment equity, that we must make sure that all are being addressed, not only one sector of the society, and that we do not make it the partisan situation. We will never solve it unless we all work together. It is a long road from Sharpeville to Oka.

**Mr Cousens:** I am pleased to rise today on behalf of the Ontario Progressive Conservative caucus in commemoration of International Day for the Elimination of Racial Discrimination. The province of Ontario joins with other provinces and the federal government in acknowledging the need to eliminate prejudice and discrimination in all its forms in our society.

Today, 21 March 1991, marks the 31st anniversary of the Sharpeville massacre in South Africa, when peaceful anti-apartheid demonstrators were brutally wounded and killed. To mark this tragic event and to highlight the injustice of racial discrimination, the United Nations declared 21 March International Day for the Elimination of Racial Discrimination.

We in Canada and indeed in Ontario should be proud of our record in the field of human rights. As a nation we were among the first to subscribe to the Universal Declaration of Human Rights which states: "All human beings are born free and equal in dignity and rights. They are en-

dowed with reason and conscience and should act towards one another in a spirit of brotherhood."

Twenty-nine years ago, Ontario was the first jurisdiction in Canada to enact a comprehensive Human Rights Code, which prohibited discrimination on the basis of race, creed, colour, nationality, ancestry or place of origin. I am proud of our commitment to the promotion of equality and justice for all citizens of the world.

However, paying homage to our past commitments is not sufficient in today's ever-troubled world. Much remains to be done. Legislation is not the panacea in promoting understanding and mutual respect for all people. It is only the start. Today is a reminder to each and every one of us to renew our common commitment for freedom, justice and tolerance for all in our province, our country and throughout the world.

## ORAL QUESTIONS

### ECONOMIC POLICY

**Mr Nixon:** It is interesting that once again we have a day of singular inaction. The papers report the bankruptcy rate 100% over what it was last year. We are facing the dramatic reduction and perhaps the closing of Spruce Falls Power and Paper, Algoma Steel and Denison Mines. We hear about Stelco's credit rating difficulties. Three days ago, the Treasurer told us that we have lost 196,000 jobs since the NDP took power and that of the \$700 million indicated to be spent to assist in that, \$34 million will be spent this fiscal year.

This is the sixth month since the government took office and yet this week, after a three-month break, the only announcement of significance was the decision taken by the government on the moose tag lottery.

What is the Premier's strategy for reviving our moribund economy, improving competitiveness, putting people back to work and in fact using the power of this Legislature, which underpins his government, to bring about the actions that the people are waiting for in a recession that is the worst since the war?

**Hon Mr Rae:** It is the job of the Leader of the Opposition to always put things in a critical light. Let me try to correct the record for the benefit of the people of Ontario who are watching these proceedings.

First of all, let me say to the Leader of the Opposition that upon taking office we discovered that the financial figures upon which he ran in the last campaign were entirely and utterly inaccurate. Let me say that undaunted by that fact, the very first thing we did as a government upon our election was to determine that we were going to have the largest capital works program put in place by any provincial or federal government in Canada.

1410

With respect to the individual companies which the Leader of the Opposition has talked about, we have established the most progressive and the most effective process of dealing with the issues that have happened. We have brought the trade unions, the business community and the financial community together in the same room at the



same time as we strive to find solutions that will bring those communities together.

That is what we were committed to doing, that is what we are doing and there will be more as we face this recession. We are going to be working in partnership with all the people of the province in a positive way to deal with this most serious economic crisis, and that is exactly what we are going to be doing.

**Mr Nixon:** The Premier has at his disposal a cash flow every working day of \$180 million. Whatever the state of the budget when he took office, and we will have a chance to debate that on many occasions, he cannot say that a \$43-billion budget does not contain within it the fiscal levers to do something about an economy in a tail-spin. Instead of taking action, he has had a series of strong commitments through what he calls the democratic facility to review and study, to delay, to send people away on tours to gather information but to take no action.

We have heard that rent controls are going to have long-term study. Garbage disposal and the whole area of the environment, which was a principal area of concern for the government, has largely become moribund even though it is led by one of the best ministers in the government. The job guarantees that were very much put forward by the formerly vocal and activist Labour critic seem to be simmering along in some sort of review and we have heard nothing about it. Auto insurance is going to be reviewed now that the Premier has disposed of the one obstacle in the way of his getting his own policy enacted. Sunday closing, God help us, is going to be reviewed by another committee—I cannot wait for that—and so it goes.

I wonder if the Premier does not feel that in his own words it is time to stop polishing his glasses, trying to start the Edsel, and apply some leadership in this House and in the province to solve our problems and move the economy of the province forward and out of recession.

**Hon Mr Rae:** If it is the—

[Interruption]

**The Speaker:** Visitors, you are welcome here, but I am afraid you are going to have to just listen quietly. Visitors—

[Interruption]

**The Speaker:** Sergeant, escort them out, please.

[Interruption]

**The Speaker:** All of them out, please. We will have a 10-minute break, folks. We have grave disorder.

The Speaker ordered the galleries cleared.

The House recessed at 1415.

1425

**The Speaker:** I thought you folks were noisy. Before the interruption, I believe the Premier was in the midst of responding to a supplementary by the Leader of the Opposition.

**Hon Mr Rae:** I think I was just about to get to my feet to answer the question from the person of whom, as I say, it can fairly be said as a former Treasurer is fully aware of all the circumstances we now face as a government and the

challenge we now face as a government. All I can say to the Leader of the Opposition is that there is no issue to which this government and I attach greater importance than dealing with the recession. The anti-recession package we announced in November, which is over \$450 million and will have produced, by the end of this fiscal year, nearly \$1 billion in new investment, is, as I say, the most significant anti-recession package being implemented anywhere in Canada by any level of government, and we are working with other groups, all groups in our society, to deal with the situation we face.

We not only face a general problem across the economy which we are trying to deal with, we also face in community after community very particular problems. Just this morning, I will say to the Leader of the Opposition, I spent at least half the morning dealing with businesses and with groups of people together trying to deal constructively with the problem, with the resources of government we have, and we are going to continue to do that as effectively as we possibly can.

**Mr Nixon:** The implacable logic of my series of questions was somehow lost by the demonstration, and perhaps I have even lost the rush I got from my adrenal glands when the Premier started talking about their budgetary problems.

I think probably I could, in the way of a question, make a comment along the lines of the Premier's answer. I am sure he did spend all morning trying to keep the business community operating. I am sure the policy and priorities board of cabinet meets endlessly. I am sure the various cabinet meetings and special meetings must be tiring the cabinet ministers out. I am sure they are sitting around their boardroom tables with their ADMs thinking that they are governing. Nothing is happening over there. Take it from me, I know when something is happening and when it is not. Nothing is happening. They may think that they are busy but they are busy doing nothing.

I put the question to the Premier, is he not aware that there is only one authority, only one office, only one man who can make the government operate, can make the deputies and the ministers produce the material which must be brought into this Legislature which will in fact begin to fulfil the high expectations of the people who elected him in fact fulfil the high expectations that we in opposition have had in observing the Premier and his cabinet?

It is almost unbelievable that after six months, and three months away from the Legislature, we do not have a legislative program. We feel the government members are keeping busy, as Terence Corcoran said in the *Globe and Mail*, with their highest priority putting off to tomorrow what they don't understand today.

I simply say again that while we can attack and criticize individual ministers, nothing works unless the leadership coming from the premiership is effective. Does the Premier not now realize that it is not effective, that it is not working, that the government is not progressing, that the economy stays in recession.



30

**Hon Mr Rae:** I think it is a little sad that someone of the experience of the Leader of the Opposition would be entrapped in his own bitterness and negativism that he could describe a capital works program worth \$1 billion as doing nothing. The Liberal government, between 1987 and 1990, wrote the book on doing nothing. That is why it was tossed out by the electorate on 6 September.

#### RETAIL STORE HOURS

**Mr Curling:** We had the fastest-growing economy of any province in this country and still he actually said we were not doing anything.

While my leader may have lost the rush, I will come with a couple of tons of information and hope we can get some answers.

My question is to the Solicitor General. I hope that day he will eliminate the rhetoric and give me some answers, because on 13 August 1990 on the CBC his illustrious leader, the Premier, promised the people of Ontario province-wide common pause day. My question is very simple. Will the Solicitor General please tell the Legislature whether or not his government intends to establish a province-wide common pause day?

**Hon Mr Farnan:** The answer to the question is that after consultation with the province and after listening to the concerns of all of the interested parties, we will bring forward legislation in due course. The questioner has a problem. When he was on the inside, when he was a member of government, he had all the information. That was then. Now we have the information.

**Mrs Caplan:** I think the Solicitor General, in his response to the first question, again just fumbled and mumbled. We certainly did not hear clearly. We heard clearly from his leader during the election campaign in August when he promised a province-wide pause day, and until we see a clear statement from the Solicitor General, we can assume that in fact is the policy of the government and the leader. Since the issue of cross-border shopping is a very important and complex one here in the province of Ontario, if the Solicitor General is truly tuned in to the concerns of border municipalities, then he will know there is a need to address this extremely important cross-border shopping issue and to do so expeditiously.

To this point in time, his government has refused even to sit down with business and industry together to form a task force. What I am asking him today is whether or not he will outline for us the policy of his government and his ministry as it relates to cross-border shopping. Can he respond to the concerns of the retail industry in those municipalities affected by cross-border shopping in this province?

**Hon Mr Farnan:** First of all, in the throne speech we made a commitment to a common pause day. The government has reiterated that. Yesterday and today I have said we will have consultations. We will be meeting with those communities that are cross-border. We will be listening to their concerns and hopefully we may be able to find accommodation. I can give the honourable members guaran-

tees that yes, we will sit down with all of the concerned stakeholders, will listen carefully and will attempt, in so far as is possible with the principle of a common pause day, to incorporate their concerns.

**Mrs Caplan:** I would say to the Solicitor General that his fumbling and his policy inconsistency are creating havoc in border communities across this province, that the commitment to a province-wide common pause day and the commitment to deal with the cross-border shopping issue are in fact linked and complex. We have been urging an action-oriented task force, and I would ask the Solicitor General today, will he stop the fumbling, will he stop the inaction and will he agree to an action-oriented task force to deal with cross-border shopping? What we heard today from Buffalo's chamber of commerce says that this situation will be a bonanza for Buffalo retailers. If he were an Ontario retailer, he would be very concerned about the long-term prospects.

Will he commit today to that kind of action-oriented task force and clear up this inconsistency in policy that we are hearing from him?

**Hon Mr Farnan:** No matter what legislation eventually comes down, we will never please everybody. I can promise the House only this, that we will bring forward the best possible legislation we can, and that a principle of that legislation will be a common pause day.

#### CONSTITUTIONAL REFORM

**Mr Harris:** I have a question for the Premier. The select committee on Ontario in Confederation was established in part to answer the question, according to his government and his government's paper, "What does Ontario want?" This was question 8 of the discussion paper he presented. Now that the public consultations held on this document are over, I would ask the Premier if he is satisfied he has the answer to that question, and if so, I would then ask him now, what does Ontario want?

**Hon Mr Rae:** First of all, I appreciate the question from the leader of the third party. I want to pay tribute to all the members of the committee from all three parties, and in particular I want to express my appreciation to the Chairman of the committee, the member for Dovercourt, and to other members of the committee who I think really have served us extremely well in this first stage of this constitutional consultation.

The question to me, asked by the leader of the third party, was, do I feel I have the answer? Well, I have been around long enough to no longer have any of those feelings, and I think it is important that the first phase of consultation has taken place. It is also important for the House to have the debate which is going to start this afternoon and carry on until Wednesday. I will be speaking in the debate on Wednesday afternoon and I will be making very clear the direction the government wants to follow in consultation and in discussion with other members of the House and with the committee, whose work will be ongoing.

A few things are very clear and I think they have been made very clear in the committee report. Ontario wants the country to work and very much wants the country to stay together. That is a very strong consensus. I think



the committee report indicates how strongly the people of the province feel about the need for change in order to deal with the constitutional crisis we now face.

I think the people of Ontario are generous and fundamentally respect the diversity of the province and the diversity of the country. I was very heartened to see the consensus on aboriginal rights. That is a very profound statement for the province to make. I was very heartened to see there is a sense, in the report, of the need for dialogue with the province of Quebec and all the provinces and regions of the country, as we seek institutional change, as we seek a genuine change which will allow us to have the feeling we are making a new country and building a new Constitution for Canada.

I think the committee has made an important contribution. This government will see the report as an important message to us, and I can assure the leader of the third party we are going to be very, very actively involved, as actively involved as it is possible to be in keeping the country together and in making sure that we can make Canada work better.

1440

**Mr Harris:** I appreciate the Premier's response. I realize it is difficult to have all the answers and nobody has them all, of course, on this complex issue. I also appreciate that given the document that Ontarians were asked to respond to, I think they responded quite well.

However, I want to suggest to the Premier—I had discussions with him last fall and again in January and he heard my comments when the document first came out—that leadership on the issues is more than just providing a framework or more than just saying, "Here are the six possibilities." In my view, leadership on this consultation process that the Premier says is not yet finished is also providing education and providing the right framework, if you like, so that we can have informed discussion and informed opinion. I suggest to the Premier that we did not, through this document, provide the public of Ontario with any kind of sense at all of the many options that are being called for, that are on the table, that the Premier or whoever is going to be negotiating with other provinces and the government of Canada. However that is, we know there are some fundamental things that are going to be there.

One of the aspects of that I would like to ask the Premier specifically about is what concerns me. I heard on the Spicer commission this morning that more than 50% said: "If it means giving concessions to Quebec, it is not worth it. We don't want them." One of the difficulties, when Canadians or Ontarians make that kind of statement, is a lack of understanding what that means. I would ask the Premier now, as I asked him before and was hoping would be in this document, if he has done any economic impact studies on what it means to Ontario and what it means to Canada should Quebec decide sovereignty-association is a preferred option. I think Ontarians need to know that before they flippantly say, "Oh, if they want that, let them go."

**Hon Mr Rae:** Let me say to the leader of the third party that I think his comments as well as his question are very constructive, and I take it in a very constructive way. Let me also say that the member for Willowdale, who I know was speaking this morning in the press conference, made a tremendous contribution to the committee's work. I think we all feel that. I accept the point entirely that there has to be a great deal of discussion and education, not just in Ontario but in the whole country about what the options are and what the real costs and benefits of these options are.

I can say to the leader of the third party that of course it is only natural that this government, as well as other governments, as well as the various organizations, labour organizations and business organizations and others—the Business Council of National Issues, for example, has published a number of reports and is doing a great deal of work; there is a study ongoing at York University which is being carried on by a number of people who are looking at these issues, and I can assure the leader of the third party that this is very much the first stage. I accept that this is the first stage. It seems to me that part of the leadership in the beginning is listening, and I want to respect that and we are listening.

I can also tell the leader of the third party that when it comes to the question of process, how we get people around a table and how we try to forge a new understanding about a new Canada, and when it comes to what those reforms might look like, I can assure him that those are precisely the kinds of discussions I want to have.

I want to say to him, and I would say it directly to the Leader of the Opposition as well, that I do not intend to negotiate on behalf of the province on my own. I do not intend to act as if this is some kind of one-person operation from this perspective. We are going to need to draw on, not just in some token way or in some minor way or in some symbolic way where one is asked to go to a meeting and never is told anything—we are going to have to have a genuinely non-partisan process which involves the hearts and minds of the members of this Legislature and the people of the province in reaching out to other legislatures and reaching out to other people in finding a solution. We are going to have to drop all this partisan nonsense as we attack this thing together, recognizing of course that there will be comments about who is doing what and who is not doing enough. We have to do more, we will do more, but the point I want to make to the leader of the Conservative Party is that we must, in this case, do it together as Canadians.

**Mr Harris:** Let me say that the Premier and I have had a number of discussions on this process in the past and he knows that I agree with the consultation and that more is necessary and that I think it has to be a co-operative approach.

What I am saying to the Premier is that I find myself—he has all the money and all the resources—still in a bit of a vacuum, and I know that virtually every person who appeared before the committee was in a bit of a vacuum, asking to respond to issues we know will be on the table, whatever that table is, issues like the triple E Senate.

We know there is going to have to be Senate reform or western Canada is not going to agree to the new document.



Ontarians do not know, and the Premier has not given them any analysis or any study—and he could have. I would ask him if he has any plans under way to do that now, as to what does this country look like, what does it mean to Ontario when you have an effective, elected Senate, the triple E Senate?

Second, the long-standing, 25-year demand of Quebec that it have sovereignty over language issues, that language be a provincial responsibility: We need to have an analysis, an impact study. What does that mean in Ontario if the provinces have responsibility over language or, as the committee has pointed out, culture or communications and immigration? We need to know what that means. Francophones need to know what that means for their desires and aspirations in Ontario. Anglophones need to know that, in and outside of Quebec.

Native self-government is another one. They have unanimously come forward and said we have got to address native issues, but we do not know what native self-government means. I suggest to the Premier that neither does anybody else, because we have not been able to agree on it. But surely we have to give some of that kind of information saying: "If we had native self-government, here is how it would work at Nipissing No 10 Obijway and right beside North Bay. Here are the powers they would have. Here is where the money would come from."

I would ask the Premier if he would allocate those resources that I asked him to allocate last fall, and again in my criticism of this document, as soon as possible so that we can get informed input back, we can do some education and get some informed input back to help us all in making decisions on behalf of Ontario and on behalf of Canada.

**Hon Mr Rae:** I will try and answer briefly to the leader of the third party and say that my short answer is that resources have already been allocated, as I announced in December, to a special secretariat that has been set up in the Ministry of Intergovernmental Affairs, which is obviously going to be preparing material and providing the kind of education he is talking about.

Let me just make one other comment to the member. I do not disagree with anything he has said. I think he is absolutely right. The only addition I would make, however, is that the committee is ongoing and if the committee feels that it itself needs more resources to conduct some of these studies, or that it wants additional information itself, I am quite happy to have the committee negotiate the kind of budget that will allow it to do that kind of work, so that kind of work would be done for the committee.

We do not have any monopoly on information; we do not have any monopoly on truth in this regard. The member is quite right that we have to get down to the short strokes and we have to get down rather quickly to doing that. I can assure him that is already under way within the government, but it is important to get it out into the public. I agree with him about that as well, and that is exactly what we are going to be doing.

I did want to wait for this report and give this committee a chance to travel across the province before making further statements on behalf of the government. I will be

making a speech in this House on Wednesday. I will be speaking 10 days later, on 5 April, in Ottawa to a conference on national unity to which I have been invited to give a speech. I will be setting out there, with greater clarity, I hope, some of the directions the province of Ontario feels are going to be necessary in order to make this debate really happen and make it constructive and keep Canada together.

1450

**The Speaker:** Point of order.

**Mr Harris:** Thank you very much, Mr Speaker. My—

**Mr Speaker:** I am sorry, leader of the third party, there is a point of order.

#### MEMBERS' CONDUCT

**Mr Sola:** Mr Speaker, I have got a point of order, I think, that comes under section IV, article 16. It comes under "Order and Decorum and Conduct of Members" of the House. It says: "In the case of grave disorder arising in the House, the Speaker or Chair may, if he or she thinks it necessary to do so, adjourn the House or a committee without motion, or suspend any meeting for a time to be named by him or her."

With this in mind, I would like to ask you whether it is appropriate conduct for any member of this House, particularly ministers of the Crown, to applaud actions which result in your having to adjourn the House for disorder. I myself noticed at least two ministers applauding when the disorder took place in this House, and I await your ruling.

**The Speaker:** I appreciate the point of order raised by the member. I did in fact order that we recess due to grave disorder. My words may have been lost because of the volume of sound in here. It was my judgement that because of the disturbance we were not able to conduct our business as normal, and so that is what happened. The disorder was not caused by any member of the assembly.

While I am on my feet, at the time when the disturbance occurred, between then and when I announced the recess, unfortunately the clock continued to run for approximately two minutes. I would like to add two minutes back to the clock at this point. So we will continue.

**Mr Sola:** Mr Speaker, I think you did not answer my point of order.

**The Speaker:** To the member—if he would be seated, please—I made a ruling based on my judgement, not on a request by any member of the assembly, and in my opinion the disorder was caused by some visitors in the gallery and it was not assisted, aided or abetted by any member of the assembly. I thank you for raising your point.

The leader of the third party with his second question.

#### RETAIL STORE HOURS

**Mr Harris:** My second question is also for the Premier. He has known for the past six months that he would soon be faced with a decision regarding Sunday shopping. He has known that he would either be forced to uphold a law he had previously vigorously fought against and opposed or that there would be no law at all. In view of that, can the Premier tell us specifically what studies he has



undertaken on the impact of Sunday openings and will he table them in the House with us today?

**Hon Mr Rae:** I think I had better refer that to the Solicitor General because he is more knowledgeable than I am in these areas.

**Hon Mr Farnan:** I appreciate the question. The reality of the matter is that the previous legislation, in a sense, opened up a Pandora's box. We have had to live with that legislation and in fact, as the leader of the third party knows, we have had to wait for a decision from the Court of Appeal.

The leader of the third party will also realize that major retailers had indicated that they were going to open on statutory holidays and Sunday of next week, so in the sense that the ruling of the appeal court upheld the current legislation, we welcome that. However, our position in the past was that we had made certain criticisms of that legislation, and we still believe those criticisms are valid. We are now placed in a position where we will enforce the current legislation while we continue the consultative process that has been taking place over the last several months. We have met with over 60 interested parties. I have invited to meet with me all of the major chain retail stores and we will be meeting with the municipalities of Ontario and particularly we will be meeting with those cross-border communities that have specific concerns.

It is an ongoing process of consultation. It is a consultation process, though, I would remind the leader of the third party, that we do not intend to rush; neither do we intend to drag our feet on the matter.

**Mr Harris:** I would suggest to the honourable member that he has dragged his feet for at least six months, as his government has for eight months. He has known there was a problem whichever way the decision went.

Both the Solicitor General and the Premier, during the campaign, during these past six months here in the House, even now, have said to us that they plan to take into account the concerns of border communities. I would ask the Solicitor General this: Given that 90% of Ontarians live within an hour and a half of Sunday shopping across a border, is he telling us that he now thinks one of the top priorities for his government is to come up with legislation on Sunday closings or on a pause day for 10% of Ontarians?

**Hon Mr Farnan:** As I have indicated, I am prepared to listen to those interested parties. I am prepared to listen to the leaders of the opposition parties, to their critics, to all members of this House and to those communities that are going to be affected. Not only will we listen to them, but we will carefully evaluate whether or not we can incorporate their concerns into the legislation that we bring forward. Any more than that, we cannot promise.

**Mr Harris:** Let me ask the minister this: We have had now in excess of eight months where Sunday openings have been self-regulating. There has been no legislation in place, so Sunday openings have been self-regulating or optional, and we now have this eight-month experience for the first time in Ontario's history. We have never had this experience before. We do not have to go out and say,

"What would happen if..."; we have had eight months of experience.

I would ask the Solicitor General, during this eight months, with the exception of the complaints from the unions, has he learned anything? Can he tell us, has church attendance fallen? Has family life disintegrated? Have overhead costs risen? Have any businesses closed as a result? Can he tell us, has there, in fact, when it has been self-regulating, been wide-open Sunday shopping? Can he tell us if he has any analytical study of any of these things happening?

**Hon Mr Farnan:** I can tell the member this, that if I ask somebody, "Do you want to work on Sunday?" the answer will probably be no. If I say to them, "Would you like your husband or your son to work on Sunday?" the answer will probably be no. If I go to the workers in those large retail stores and ask them, "Do you want Sunday shopping?" the answer will probably be no. If I go to the Ontario Federation of Labour and ask, "Do you want Sunday opening?" the answer will probably be no. If I go to the church groups, the answer will probably be no. If I go to the small retail stores, the answer will probably be no. I know there is one group that will say yes, and that is the large retail stores.

**The Speaker:** I have stopped the clock for a moment. I draw to members' attention that in the first two questions for both opposition leaders and the responses which were given we have occupied almost 40 minutes. Backbench members may wish to note that. Let us continue.

1500

#### HUNTING IN ALGONQUIN PARK

**Mr Ramsay:** I have a question today for the Minister of Natural Resources. I read very carefully yesterday his lengthy answer on the changes to the Algonquin Provincial Park management policy, but I believe his response in no way explains away the frustration and the confusion and the chaos that he is creating with the various involved and interested parties in that park. In fact, as I am sure the minister knows, the Huntsville Herald News called for his resignation yesterday, they are so angry about this—ironic indeed in a town that he just delivered a bunch of MNR jobs to the week before.

I think the confusion was continued yesterday in the minister's response when he said that this was a unique situation to this park, where Brian Blomme, a ministry spokesperson, a couple of weeks ago said, "This new policy is also being applied in most of the other provincial parks"—well, that is what he said—"to create a good climate for land claims."

It may be that the minister's difficulty is that he has a conflict between his duties as minister of native affairs and Minister of Natural Resources.

The mess the minister has created, I think, begs the question further. What, if any, discussion happened in caucus before this was leaked out, or in cabinet, or was this the minister's own initiative?

**Hon Mr Wildman:** In response to the last comment by the member, the member knows full well that the government



has made a strong statement of commitment to negotiate original land claims in this province. It also has made a strong commitment to negotiating self-government for aboriginal peoples in this province. So any decisions that have been made with regard to negotiating land claims in this province have been made in that context and they have been made in the context of full consultation in our caucus and in our cabinet.

The member will know that indeed the Algonquin situation is unique in that it deals with a particular claim that involves the whole area of the Ottawa River watershed from about Hawkesbury to Mattawa, including the whole city of Ottawa and the region of Ottawa-Carleton, of Parliament Hill, and the largest single area of crown land within that whole large claim area happens to be the jewel of the Ontario park system, Algonquin park. This is a very difficult situation. It is unique because of that claim.

At the same time, the member will know we are involved with trying to respond to the Supreme Court decisions with regard to the aboriginal right to hunt and fish, the Supreme Court decisions in the Sparrow case and the Sui case, which recognized the aboriginal right to hunt and fish while protecting conservation of public safety and so in one case dealt with hunting in provincial parks. The two are related, of course, but they are also separate.

**Mr Ramsay:** I would like to congratulate the minister that the explanations are quite good; they are coming after the fact and the interest groups now are wondering why the decisions were made and why they were not consulted. The minister himself in his response yesterday said he did not want to conduct the consultation "in the glare of the public eye." Now I have read it today, that is what it said, and I would suggest that he go back to take a look.

**Hon Mr Wildman:** I said the negotiations, not the consultation.

**Mr Ramsay:** No, he said the consultation, and I would ask him to go back and take a look at that.

The sports operators, the tourist operators for the park and all the surrounding area are a little upset that he did cancel a meeting with them at the Sportsmen's Show this week and would like to see him.

As he knows, this subject has been reported far and wide, as far as the Miami Herald, so he is in both Heralds, the Miami and Huntsville, but it is occurring at a very critical time when the tourist operators are trying to sell their tours and their trips into Algonquin park and the surrounding area and they are having a difficult time trying to explain to their clients and their potential clients with regard to the safety of those clients in that park. I would like to ask the minister, is he and his ministry and is the Minister of Tourism and Recreation doing anything to help those people explain to their clients that outfitting is safe in Algonquin park this year?

**Hon Mr Wildman:** The member will know, first, that the articles in the Herald are a result of some leaked material that was prepared early on in the process and was not adequately full in explanation.

The fact is, the story in the Huntsville Herald indicates quite incorrectly that the Ontario native affairs secretariat

is carrying out all of the negotiations and that Ministry of Natural Resources officials are not involved. That is quite incorrect. The deputy minister, right down to the parks manager, Ernie Martelle, have been directly involved in the negotiations and have been very helpful in the negotiations.

With regard to the consultations, the initial consultations took place early on, but they were not intended to take place until we had a final position that we were going to be able to present the people to consult about. The leak occurred earlier than we anticipated and that is why it occurred before the consultations. We are participating now in consultations with the Federation of Ontario Naturalists, with the Ontario Federation of Anglers and Hunters, the Friends of Algonquin Park and so on.

With regard to the tourist outfitters, representatives of the Ministry of Tourism and Recreation and the Ministry of Natural Resources have met with them to explain their—

[Interruption]

**The Speaker:** Would the member take his seat, please? Okay, remove them, please. Stop the clock.

#### DEVELOPMENT CHARGES

**Mr Stockwell:** My question is to the Premier. Could the Premier explain to this House and myself his sudden reversal, maybe a rationale for his sudden reversal, on lot levies and exactly what transpired in the last little while to change specifically his position? The question is to the Premier because I think it is important we find out exactly the rationale behind a 180-degree turn.

**Hon Mr Rae:** The situation that we faced on lot levies, and I hope this is a fair description of the situation, is this—

**Mrs Caplan:** That was then, this is now.

Interjections.

**Hon Mr Rae:** The difficulty we faced was that the legislation was in place. It was obviously one that was relied on by a number of boards of education and municipalities with respect to their funding needs. We as a government were faced with the reality that, given our own economic situation and given the overall fiscal situation we face, which is, I would say to the member for Etobicoke West, a challenge for the government, as it is for anybody else, we simply decided, on the basis of the situation which the province now faces in terms of a deficit which now stands at \$3 billion and the prospects of a higher deficit in the next fiscal year, that we simply could not afford to do away with lot levies. It is as simple as that.

**Mr Stockwell:** I will remind the Premier of a quote from the Toronto Home Builders Association questionnaire that the Premier filled out and sent in:

"Lot levies are simply a new method devised by the Liberals to duck responsibility for the provision of important services around the province. The Liberals have not adequately funded municipalities. Lot levies are a method appealing to the Liberals because it gets them off the hook and dumps the cost on to new home buyers."

It seems to me that every time we deal with an issue where the Premier's government has reversed itself, he



quotes to me the deficit. I think it is an interesting approach. He quotes to me about dollars and cents, and we all know, in my opinion, having sat on Metro council, that this is blood money. It is blackmail. We know that this is in fact a tough time, but the Premier's position was very clear, and in my opinion, pre-election, he was right. It now seems apparent and the question is that the Premier is selling his principles. It is a principle that he stood for. It is a principle that people could have affordable housing, and we know full well that affordable housing in Toronto is very difficult to find.

Could the Premier please answer this, the people of the province of Ontario have to know, what is the price on his principles? What is the price tag? They voted for these kind of principles and they are being sold out: When, how much and how often?

1510

**Hon Mr Rae:** I must say there is a particular kind of charm and style to the member's questions which I think I can already detect. I now know what to expect for the next several years.

I would say to the member, first of all, let's put this in some perspective and try to be fair. With respect to the question of educational development charges relating to boards of education, the government decided, on the basis of our current financial situation and on the basis of the fact that the whole package with respect to educational financing reform is being dealt with by the Fair Tax Commission, that we could not accede to the request that we abandon willy-nilly the educational charges, so-called lot levies, with respect to educational development.

The whole issue is being looked at by the Fair Tax Commission. There are questions of fairness here. There are also questions, as the member well knows from his experience in municipal politics, of affordability. We are right up against those questions today as a government. We will continue to be. We are going to continue to do the very best that we can over the life of the government in dealing with the fairness questions. It is something which the Fair Tax Commission is going to be looking at.

As for this year, the member will know that there are certain boards whose requests for those charges have had to be met, because if we had not met them, they simply would have taken the government to court.

#### WORKERS' COMPENSATION BOARD

**Mr Perruzza:** My question is to the Minister of Labour. Downsview riding, which I have the honour of representing, is largely a working-class riding. The majority of my constituents work in construction, in factories and other heavy industries where the chances for work-related injuries are very high. My office—and I am certain other offices—has had problems regarding specific cases and has often received no response even after several messages have been left. I am concerned that many adjudicators are insensitive when dealing with injured workers, resulting in frustration and tension among injured workers and their families.

The Workers' Compensation Board is much like a dinosaur, a bureaucratic nightmare. My question to the min-

ister is, what action is his ministry taking in the short term to ensure that injured workers are treated fairly, compassionately and efficiently by the Workers' Compensation Board?

**Hon Mr Mackenzie:** I think the member is well aware that we are concerned about the operation of the WCB and the many problems that are coming to our attention from workers. While most claimants are treated fairly, there is a growing number who have real, legitimate complaints in terms of the operation of the board.

I can tell the member that we expect to see some significant changes in the administration of the board very shortly. The government is in the process of finding both a new chair and a new vice-chair of administration. We hope to be announcing these key positions in the very near future. Our message to this new administration is, very clear and that is that we want resolved the problems of adjudication, the problems of delays, the problems of service to the employees of the board, and that is something we will be closely watching at the time.

I am sure the member is also aware that it is an arm's-length relationship with the board. We do not directly run it, but certainly we are aware of the problems that are developing.

**Mr Perruzza:** I thank the minister for his answer, but it seems to me that that is more of a short-term solution. I would like to ask the minister what they are doing in the long term to simplify the workers' compensation system so that it is easier to understand, is efficient and ensures that injured workers receive fair and equitable compensation for their injuries.

**Hon Mr Mackenzie:** I do not think that the workers' compensation system can ever be made simple. Certainly we can improve the efficiency of the system, and that is what we are trying to do. We think the office of the worker adviser, for example, has done a commendable job, given the kind of pressure that is on it.

But we are also aware that we are really not going to solve the problems of the Workers' Compensation Board until we do a much better job of health and safety and prevention of accidents in the workplace in the province of Ontario, and that has got to be one of our main aims.

#### LONG-TERM CARE

**Mr Phillips:** My question is to the Minister of Health. It has to do with an area that I am sure she will agree is growing. I am not exaggerating in saying it could be reaching crisis proportions. I am speaking now of long-term care. As the minister will appreciate, the former government did announce, I think about a year ago, quite a comprehensive plan for long-term care. That was then and this is now, of course.

I say it is growing to a crisis proportion for a variety of reasons. I think the minister is no doubt aware that there are literally hundreds of community groups that are waiting for action from the government. An arbitrator recently said to the union that the arbitrator was unable to reach a fair settlement with the workers because nursing homes were not adequately funded. I think it is fair to say there



a number of civil servants waiting for direction from the ministry.

I wonder if the minister today might give us specifically her timetable on when she will be announcing the government's plans for long-term care.

**Hon Mrs Gigantes:** I would be pleased to let the public for the Liberal Party know that the proposal dealing with long-term care and the proposal that we will be taking the public in consultation is now going before cabinet, so we should be able to provide him with very substantial amounts of information on that score within a short period of time.

**Mr Phillips:** The problem I am having is that the major consultation took place actually—sadly for us, fortunately for this government—about six months ago, and the people of Ontario had the major consultation, and that was of course when they voted for the NDP and voted for the Agenda for People. They spelled out in there their plans for dealing with the issues in the province.

Believe me, the people of the province are waiting for information on long-term care. What I want today from the minister is assurance that when the budget comes forward it will include the funds necessary to implement their plans for long-term care. We cannot wait for another year. We must ensure that those plans and those programs are provided for within this budget, which comes out, I believe, next month.

**Hon Mrs Gigantes:** The Treasurer hears the question, and I know that he understands that the financial needs for long-term care are terribly important in this province. We will make our submissions to the Treasurer, and certainly the program that this government will be placing before the Legislature and the public of Ontario will have funding attached.

#### WAGE PROTECTION

**Mrs Witmer:** I have a question for the Minister of Labour. The wage protection fund announced by the Premier last October is conservatively estimated to cost about \$45 million. Ministry officials have indicated that about 10,000 laid-off workers have already applied for compensation under this yet-to-be-created program. Could the minister please indicate to this House how his government intends to finance the wage protection fund?

**Hon Mr Mackenzie:** The member will also know, if she has taken a look at the discussion documents that are dealt with some of the stakeholders in the community, that some of the issues we have to resolve and are currently now compiling our material on as a result of the input from the questionnaire are how the fund will be financed and the extent of the coverage and how fast we can move on it. We are in the process of looking at that now and will be bringing the recommendations to cabinet very shortly and hope to be in in this session of the House with a draft bill.

**Mrs Witmer:** I asked the minister specifically how he intends to fund the wage protection fund. I would suggest to him, at a time when there is mounting economic insecurity, at a time when people in this province are suffering from job losses and plant closings, at a time when our

neighbours to the south are actively recruiting businesses and encouraging them to move south of the border, that this government do everything possible to stem that tide of businesses going south. I would suggest that the minister focus his efforts on keeping jobs in this province, I would suggest that the minister focus on skills training, and I would like him at this time to reassure the workers in this province that he is responsible for protecting their jobs, that he is responsible for providing them with compensation, that he will not allow more jobs to move south of the border. Is he prepared to make a commitment at this time to the workers that he will not introduce a payroll tax to finance his wage protection fund?

1520

**Hon Mr Mackenzie:** I think the member will know that when the matter is now just being drafted and not yet taken to cabinet that I am not likely to tell her specifically what we will suggest in terms of payment. I think she also must understand that we recognize the tough and severe times we are in and the fear of the business community. I can tell her also, though, that there are workers out there, from the Canada Packers, the Deilcrafts, the many other plants around this province, who have lost their jobs and now are sitting with unpaid wages and vacation that have to be taken care of. So there are a number of things that we are going to have to balance in making a decision on this matter.

[Later]

**Hon Mr Mackenzie:** May I be allowed to correct the record, please? In response to the question that I just answered I mentioned that we had a large number of workers who are sitting without payments being made, and that is true. We have several thousand who have applied to the wage protection plan. I mentioned plant closures such as Deilcraft and Canada Packers. That was an ill-advised choice of words. I am not sure that any of their particular workers are involved in not getting money, but some of the others, as I say, several thousand, are in the province.

**Mr Elston:** On a point of order, Mr Speaker: When the record is corrected and more information is given with respect to a question, sometimes there is supplementary time available for the questioner. I would like to propose that you allow the member for Waterloo North to pose a supplementary with respect to the corrected record. I think it is only fair.

**Hon Miss Martel:** Mr Speaker, my understanding of the rules is that you have a supplementary question when in fact there has been a question asked of the minister. He has come back into the House to respond. Because of the time of the question, he did not have the response. It is not my understanding that another question is permitted when in fact he has gotten up to correct the record.

**The Speaker:** That is correct.

**Mr Elston:** Just on that point, Mr Speaker, when questions are answered here, the supplementaries flow from those questions as answered by the minister. When the information is corrected after the fact, it allows the minister an unfair advantage, because the supplementary is



posed in relation to material which was either incomplete or unavailable to the questioner.

I am only standing to ask that my colleague from Waterloo North be allowed to examine a supplementary in relation to new information provided to her at this time. It is obviously not a partisan issue, because she is a member of a different caucus from ours, but I think it is important when new information comes that in fact any member—and it would pertain also to a member of the New Democratic Party as well as to the Liberal caucus—would be allowed to ask the supplementary with full knowledge of the facts and not some errant piece of information.

**The Speaker:** I appreciate the point of order raised by the member for Bruce. I draw to the member's attention the fact that the minister rose to simply correct the record and offered some information to correct the record, not additional information available for debate, and that is normal practice in this House. But I appreciate your raising it, and I will review the matter again, but to my knowledge that is the practice we have followed for some considerable time.

#### GUN CONTROL

**Mr Owens:** My question is for the Solicitor General. In 1990 in the city of Scarborough there were 626 offences using offensive weapons, which is up from 473 in 1989. A Metropolitan Toronto committee is currently holding hearings with respect to gun control in this city. The Toronto Star today reports that the federal Minister of Justice, Kim Campbell, will introduce legislation in the next session with respect to gun control, including some of the recommendations that came from the committee studying Bill C-80. What steps is the ministry taking with respect to gun control?

**Hon Mr Farnan:** Firearms control is a public safety issue that I consider to be very grave, and it is also of grave concern for policing services in the province of Ontario. However, the member is quite correct, firearms legislation is under the direct responsibility of the federal government.

I have written to the federal minister, Kim Campbell, and I believe my colleague the Attorney General likewise has written in very strong terms supporting Bill C-80 and urging a national firearms amnesty that we want to participate in. We are watching very carefully the new gun control law as it goes through the Justice minister's hearings; we are looking at those hearings and the response to those hearings and we want to see that legislation coming through this session.

#### MOTION

##### PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Miss Martel moved that Mr Harnick and Mr Villeneuve exchange places in the order of precedence for private members' public business.

Motion agreed to.

#### PETITIONS

##### BUCKHORN WILDERNESS CENTRE

**Mr Drainville:** It is with great pleasure that I rise in the House today to present a petition on behalf of 329 citizens of the ridings of Victoria-Haliburton, Peterborough and Hastings-Peterborough.

We also have today Norma and George Macphail, who are in the gallery representing the 329 citizens. The issue they have petitioned this House about is the Buckhorn Wilderness Centre, which has become private property, and they would like it to become crown property.

#### COURT SYSTEM

**Mr B. Ward:** I have a petition signed by approximately 100 people from the city of Brantford requesting that two full-time judges be appointed to the city by 1 April.

#### RELIGIOUS EDUCATION

**Mrs Cunningham:** I have a petition addressed to the Lieutenant Governor of Ontario and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"The Ministry of Education has made evolutionism a compulsory core unit in senior OAC, previously grade 13 history and science. Since evolutionism and creationism are completed acts in the past, neither can be proven nor disproven. In fairness to all parents and students, equal time should be given in presenting the underlying assumptions of each. Through the two-model approach, the skills of critical thinking, such as recognition of bias, awareness of society's influence on one's bias and the awareness of assumptions can allow students to examine their own belief system and better appreciate an opposing view."

It has been signed by 238 people.

1530

#### REPORT BY COMMITTEE

##### SELECT COMMITTEE ON ONTARIO IN CONFEDERATION

Mr Silipo from the select committee on Ontario in Confederation presented the committee's interim report and requested that it be placed on the Orders and Notices paper for consideration pursuant to standing order 36(b).

Motion agreed to.

**The Speaker:** Does the member wish to make a brief statement?

**Mr Silipo:** Briefly, thank you. I would just like to note two things, first of all, the thanks of the committee to all of the staff, both here in the Legislative Building and the legislative services and external staff who assisted us with the work of the committee. We know there were a great many people who helped us to pull the report together and helped us in our work and we want to express our appreciation to all of the staff.

Also, I would just note that the report is a unanimous report from the members of the committee, and in that way also want to express my appreciation to the other members of



committee for the collaboration that was shown in the process.

**Hon Miss Martel:** I would ask for unanimous consent of the House to call the order for consideration of the interim report of the select committee on Ontario in Confederation.

Agreed to.

**Hon Miss Martel:** There has been an agreement among the three parties to divide the time equally in this debate.

### ORDERS OF THE DAY

#### INTERIM REPORT, SELECT COMMITTEE ON ONTARIO IN CONFEDERATION

#### RAPPORT PROVISOIRE DU COMITÉ SPÉCIAL SUR LE RÔLE DE L'ONTARIO AU SEIN DE LA CONFÉDÉRATION

Consideration of the interim report of the select committee on Ontario in Confederation.

Étude du rapport provisoire du comité spécial sur le rôle de l'Ontario au sein de la Confédération.

**Mr Silipo:** I am pleased to rise today to open debate on the interim report of the select committee on Ontario in Confederation.

As I noted earlier, this report is a unanimous report, and I think that continues a tradition which has been longstanding in this assembly on issues that relate to constitutional matters and the future of the country. The three parties have managed to come together on those issues, and I want to just again note my thanks to all of the members of the committee from the government side and from the opposition parties for the manner in which we were able to work together. I certainly was very pleased. It certainly made my life as the Chair of the committee a lot easier. But I think that above and beyond the practicalities there is that value I think we all share of being able to come together on issues as important as this and to rise above partisanship and to express our views together.

The report opens with an observation that a Constitution cannot remain static. Just as a country evolves over time, so does a document that codifies those fundamental values we have as a country, defines our national institutions and divides the exercise of the legislative powers that express what the country is all about.

I think it is in that context that we place our report, in the realization that we are at an important crossroads in our evolution as a country and that in looking at the many issues we had before us, we need to recognize that change is inevitable and that what we are contemplating in the days and months and years to come is looking at restructuring the essence of this country and how we translate that into the constitutional document and indeed into the whole other relationship between the different levels of government, and not necessarily just the federal and provincial governments but indeed the third level of government, the municipal level of government, in that aspect.

As people know, we were given a mandate as a committee to review and report on, first, the social and economic interests and aspirations of all the people of Ontario within Confederation and, second, what form of Confeder-

ation can most effectively meet the social and economic aspirations of the people of Ontario. Obviously, in our interim report we do not presume to be able to answer those questions fully, but we do believe that we have been able to at least set some clear directions and at the same time proceed from there to set the stage for the next part of our work.

Before getting into some of the issues that we address in the report, I want to note that the extensive travelling we did during this time allowed us to visit some 20 different communities across the province and I think gave us all, as members of the committee, a closer understanding of the reality of Ontario across its different regions. On a personal note, I know that being in those different regions and going through the travel we did, as a member from Toronto it certainly gave me not only an appreciation for the different parts of the province but also a much greater level of respect for my colleagues from outside the Toronto area in terms of what they need to go through on a week-to-week basis in doing their work as members of this assembly. I think it is something that perhaps can really only be known by people who in fact go through that kind of schedule on a week-to-week basis.

We heard from many individuals and groups, over 600 people, who talked to us throughout the process. For me what came out of the many people who spoke was, above all a profound interest in the kinds of things that are happening to our country and to our province and a great deal of interest by the people of the province in wanting to be involved in the process of change. People said to us very clearly that they expect leadership from government, that they expect us to take a leadership role in addressing the many issues we need to address. But they also said to us very clearly that they do not want politicians to assume or presume that we have the answers and that the public out there can be left out of the process.

If there is one message that came out very clearly it was that people intend and want us to make sure that they continue to be involved at all stages of the process. I think that is something that not only we heard but I hope we reflected very clearly in our report and will reflect in our continuing work in terms of how we structure our discussions in ensuring that as we proceed to look at some of the issues in more detail, we will also ensure that the public, in many ways, continues to be involved in that process.

In terms of some of the values that people spoke to us about and some of the things they felt bound us together as a country, we were, first of all, I think struck by the level of emotion with which people spoke. While people may not have talked to us in terms of specific details of giving us proposals that would resolve the problems that we have, there was a very strong sense that something that was very valuable to people was in jeopardy of possibly disintegrating.

I think that feeling came across to us time and time again. People talked to us about the kinds of values that they see are inherent in describing Canada—values of tolerance, values of respect for each other, values of not only accepting but respecting and wanting to enhance the kind of diversity that exists across the country—and talked to us about the concept of equality. People recognized within



that, that equality, for it to be true, was not necessarily the same thing for everyone or the same thing for every region and that in fact there were different ways that we needed to be able to express that.

There were, as I said, a great many positive comments on the question of the cultural and racial diversity of the country and that is an inherent part of what makes us unique. There was certainly a great deal of comment about the sense of wellbeing for others that I think we share and the kind of value that people place on the social programs and some of the other underlying basic things, which we tend to take for granted sometimes but that in fact set us apart as a country from other countries. We certainly share, as a committee, that view of the majority of people who spoke before us of the tolerance and understanding and respect for the diverse elements of our society that are indeed basic values which need to form the basis of any renewal that we embark upon.

We heard also a great deal about aboriginal peoples and it was heartening I think, as has been noted and as we have been saying throughout the process, to hear the great level of consensus that there was, obviously from native peoples but also from non-native peoples, about the need for us to address the kinds of injustices that we as a society have allowed to be perpetuated against our native peoples for years in the question of land claims and the question of self-government, and that we need to come to grips with as governments and as people and that we need to address in a very fundamental way.

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As we conclude that section of our report, we state that we believe the government has a very clear mandate to proceed and continue on its course, as begun indeed by the previous government, to continue to negotiate and to reach solutions with native peoples on the process of self-government and land claims, recognizing that there is obviously a great role that the federal government needs to play in that area as well, but also recognizing that Ontario can and should continue to play a major role in ensuring that the land claims issues get resolved, that the question of self-government gets addressed, that we do indeed answer the kinds of specifics of what self-government means, as the leader of the third party was asking about earlier on today, and that we ensure that in the constitutional framework the issues of aboriginal peoples are right up there and up front on the agenda and dealt with in future constitutional discussions.

We also obviously heard a great deal about the question of Quebec's future in Canada. As we note in our report, this was probably the subject of some of the most passionate testimony that we heard. The feelings were at times raw on this issue. There was a strong sentiment that people wanted us to keep Quebec within Canada, but I think we also need to acknowledge that there were some people who felt that Quebec should simply be let go.

We do not agree with that latter view. As a committee, we expressed the opinion that we need to do whatever we can to ensure that Quebec remains within Canada. We believe that the potential of Quebec separating from the rest of the country is real, not something that can be taken

lightly, and therefore requires a real, concerted effort on our part, on our government's part, to ensure that we are addressing that issue in a very real way.

We think that the consequences of Quebec's separation would not be very positive, to put it mildly, but would be very serious for all of us, obviously for Quebec and for the rest of us, and that everyone at the very least needs to be aware of what those consequences might be in whatever kind of level of detail we are able to. You can describe the consequences in economic terms, you can describe them in terms of the kinds of loss of trade and other kinds of possibilities, but it seemed to us that beyond those kinds of issues the potential for Canada without Quebec has implications that go to the very heart of our identity as a country. That, it seems to us, is really at the basis of any discussion that we also pursue in that area.

We obviously have not had the opportunity to be able to set out in any kind of a clear way, in any detail, the ways in which we can respond to what is happening in Quebec, but we believe very clearly that respond we need to. We will be looking during our next phase at various possibilities in which we can hopefully provide to this assembly, and to others some possibilities that need to be addressed.

Je voudrais aussi dire que la question du Québec et son rôle dans le Canada, l'avenir du Québec dans le Canada, est évidemment une des questions les plus importantes que nous ayons eues devant nous. Certainement, nous savons qu'il y a ceux dans la province qui sont prêts à abandonner le Québec ou à dire que le Québec devrait se séparer mais nous, comme comité, soutenons la position qu'il faut faire tout le possible pour retenir le Québec dans le Canada.

Nous voulons un Canada uni avec le Québec là-dedans, mais nous reconnaissons que, pour en arriver à ça, il faut être prêt à contempler des changements pour que ça puisse continuer. Nous croyons que la séparation du Québec aurait des conséquences majeures et sérieuses pour le Québec, mais évidemment pour nous aussi en Ontario et pour le reste du Canada.

Donc, il faut vraiment qu'un changement se produise pour que le Québec demeure un partenaire au sein de la Confédération. Même s'il n'y a pas dans notre rapport des détails en ce qui concerne répondre aux exigences du Québec, nous espérons, et moi je l'espère sincèrement, que le Québec reste dans le Canada et que notre rapport au moins donne une idée positive, qu'il soit reçu d'une manière positive en ce qui concerne notre volonté envers le Québec et envers notre volonté de trouver des solutions, même si on n'est pas en ce moment, dans notre débat, dans une situation de pouvoir répondre d'une manière précise à cette question.

The question of the English and French languages is something that is obviously intertwined with the issue of Quebec, but is also one within which we know that there is a reality that is particular to Ontario; that is, that within that we understand the need to continue to respond to the reality of the Franco-Ontarian population within this province. In fact, there are issues affecting the Franco-Ontarian population that, while they play a role in the greater debate of national unity, are also particular to the Franco-Ontarian citizens of this province.



Therefore, while we are not in a position as a committee to respond to the call for official bilingualism on the part of the francophone communities, because we believe that it is an issue that requires a great deal more discussion, we do understand and appreciate the very strongly felt feelings on behalf of our Franco-Ontarian citizens of the need to continue to expand the provision of French services, particularly in the area of education. This is one area that they highlighted for us time and time again in terms of having a continuum of services from kindergarten right through to university or college. That is an area that we need to take a look at.

We also very clearly heard from a number of people who are opposed to not only any idea of official bilingualism but indeed even to the concept of Bill 8 itself. While we do not agree with those views as a committee, we certainly do recognize that there is a great deal more information that needs to be provided to people across this province and that a number of things can be done in looking at the implementation of Bill 8 to at least provide more information to people about the consequences or the implications of Bill 8 in those areas that have been designated for bilingual services, and use that as a vehicle hopefully to provide a better understanding about those issues.

We heard, as I mentioned earlier, a number of comments made about the question of multiculturalism. I think that what struck us and certainly what we reflect on and agree in our report is the issue that the multicultural diversity of the country and of the province is not a recent phenomenon, that indeed it is something that has been a part of the history and the evolution of this province and of this country and that anything that we do in terms of constitutional discussions, in terms of looking at redefining our constitutional framework, needs to keep that very much in mind.

There are great strengths that we have within our society that are reflected in the kind of tolerance that we see and that we want to continue to enhance towards the multicultural, multiracial reality of Canada, but we also got the sense that we need to be prepared to move beyond simple tolerance and acceptance and to develop a real understanding of the values that exist within our entire population as reflected again in that kind of diversity that we see within the ethnocultural makeup of the country. There are great strengths that we can draw from that on a societal level and indeed on an economic level in terms of trade and other benefits.

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We heard in this process from women, and I think, if anywhere along the process, that it was when women were talking to us that the issues of process themselves became in effect very clearly put before us in terms of their importance. Women talked to us about many, many issues. As they were there as representatives of various organizations, they spoke to us of course about all of the issues that I have mentioned and that I have not mentioned. Obviously they had and continue to have a great interest and role as women and as members of our society in all of those issues that affect us as a country.

But they then talked to us very clearly also about specific needs that they have and that we need to continue to address. They underlined for us, and we agreed very much, that in the process of constitutional change we need to make sure that the kinds of gains that we have made towards gender equality not only are not jeopardized, but perhaps, it seems to me, are looked at in terms of protecting and enhancing. That is something that we need to keep very much in mind in our processes, and one of the ways of ensuring that is by making sure that women, individually and through their organizations or whatever way, are involved in all of the processes that are set in place towards constitutional reform.

We heard also from a group of people who I know we would not have heard from if the member for York East sitting next to me, who is a member of our committee, had not been also a member of our committee. We may have heard from them, but we may not have heard from them in quite the same way. That was, of course, disabled individuals. We heard from a number of deaf individuals but we heard also from people with other disabilities. I think we learned a great deal as a committee as a result of what those individuals said to us about the kinds of barriers that exist for people with particular disabilities, the kinds of barriers that those disabilities place them in in terms of their being able to fully participate in society.

While a lot of the comments that they made touched on the whole range of lack of services that they want us to improve as government, it also struck a chord with us in terms again of some of the basics that we all need as citizens to have if we want to participate in the evolution of this country. While we will be examining in more detail how the rights of disabled people can be more effectively addressed in the constitutional framework in our next stage, we certainly keep in mind very much the kinds of comments that were made to us about the needs that exist for people with various disabilities and how in fact governments need to continue to be very conscious of and to address those issues.

We were asked to look at some of the economic questions, and I think it is fair to say that this is probably one of the areas in which we have at this point the least to say. I think that again we just need to be very clear and open about that. We did not hear from the people who spoke to us a great deal in the way of specifics about how that related to the constitutional framework, with a couple of very important exceptions that I want to note.

Even before I get to that, I want to say that we certainly did hear a great deal about what was happening to people economically and how people saw that that meshed or did not mesh with anything else that we were doing other than it was something that was obviously important to them. It has often been said that we can talk about constitutional matters, but if we are not talking about the bread-and-butter issues that affect people, all of it is just an academic exercise.

People obviously talked to us and were conscious that our hearings were happening during the recession, so these issues may have been in fact more prominent in people's minds. None the less, my own sense is that they would



have been in any event. But we did in hearing also begin to see some of the threads and the links that exist between the question of economics and how they affect people in a real way; what it means to people to not have jobs or what some of the economic policies of this government or the federal government might mean to them and indeed how that translates into a constitutional discussion.

One of the areas that we heard a little bit about that I know the committee will be looking at in more detail is this whole question of the relationship between economics and the Constitution, particularly as to whether we should be looking within the Charter of Rights at enlarging not only some of the basic rights and protections that we provide for individuals, but indeed some of the basic rights that we provide in there in a common way. I think again that is something that we will be trying to address in some further way in the next stage of our work.

I want to just add a couple of comments about the role that people saw that we as a province should be playing and then touch also on some of the issues related to the whole process of constitutional reform. There were certainly, as I said earlier, many comments about the role that people saw that governments ought to play and particularly the role that people thought that we as a province should be playing in the constitutional discussion.

People saw that because of our somewhat unique role in terms of being one of the larger provinces in the country, in terms of our historical links with Quebec, in terms of the kind of trade links and other kinds of links that we have with Quebec and indeed with the other regions of the country, we are in a position where we can play that kind of traditional mediator role that Ontario has played, but at the same time ensure that the issues that are important to us and to Ontarians also get put on to the discussion table.

We think that there is in fact this dual role that Ontario can and should continue to play to try to bring the different regions of the country together, but also to make sure that the various issues that were put before us are addressed and are indeed addressed in a collective fashion, not by separating them out or by saying that one is necessarily more important than the other.

Lastly, I just want to talk a little bit about the process of reform. There were many things that we heard about how we could change some of the structures, how the Senate should perhaps be reformed to a triple E Senate, how referenda should be used perhaps as another method and, when you bring those issues closer to the process of constitutional reform, how we perhaps should be looking at the concept of a constituent assembly and again the use of referenda in terms of arriving at ways of answering all the questions before us.

Whatever we may think as individuals about the value or non-value of each of those possibilities, the one thing I think that is clear above all of it is that there is a real sense out there that people want to be involved in the process of constitutional reform and that whatever structures we put in place, whatever solutions we may propose, we need to keep that very much in mind. Whether we agree that referenda at the end of this process would make sense or whether we agree that constituent assemblies make some

sense in terms of looking at a way of doing business on the constitutional framework, the underlying issue is that the people of the province need to continue to be involved in the process of constitutional change, because it is not just a process of constitutional change for the sake of going through an exercise. It is in effect the very essence of the structure of the country that we are in the process of changing.

I think I would like to conclude by underscoring that in our sense as a committee, and certainly in mine as a member of that committee, Canada is at a crossroads in its history. The things that are happening now are at least as serious as are some of the kinds of issues that were under discussion at the time the country decided to come together. It is the whole process of renewing, I think, the vision of Canada and renewing the structures that reflect that vision that we are in the process of doing.

Therefore, in all of this it is essential that whatever the structures are that we put in place to help us get to those answers, we make sure that the people of the province continue to be involved and that we exercise the leadership they asked us to by making sure that as we put forward suggestions, as we put forward proposals, we continue that open line of dialogue with them.

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I look forward to the next stage of our work. I look forward also to the debate in this House, because I think it is important to hear from not only the other members of the committee but the other members of the Legislature on this issue, in being able then to take also those thoughts and keep those thoughts in mind as we embark on the second stage of our work.

With that, I reiterate my thanks, as Chair of the committee, to the other members of the committee for the kind of co-operation and collaboration that was demonstrated in the process. I think it is an indication of the kind of positive attitude that we need to try to transcend even this Legislature to our relationships with the other parts of the country if we are indeed to resolve the kinds of issues that are before us as a country.

**Mrs Y. O'Neill:** I would just like to bring to the House's attention before I begin my formal remarks that when we began the process of hearings of the select committee on Ontario in Confederation there were three women who were appointed to that committee and, unfortunately, the two government women have had to leave because of assignment to other duties. I would like to formally congratulate one of the very strong members of the committee, who did not miss one of the 600 presentations, and that is our new Minister of Consumer and Commercial Relations, the member for Riverdale.

Because I am the only surviving woman at this moment, I have decided that I would like to narrow the scope of my remarks today to encompass the ideas and views we heard from the women of Ontario, women who generously gave of their time and talent to share with the committee their special perspective of this important subject, its complex and far-reaching challenge.



We were privileged, as our Chairman said, to hear from women from all regions of the province, including native women, francophone women, visible-minority women, disabled women, women representing business and women representing the labour movement, rural women and urban women. I propose to share with this House today some of the views raised by the women of this province in response to the questions posed by the discussion paper, *Changing for the Better*.

As the committee report states, women speaking as individuals and for groups addressed the whole range of issues discussed in this report. Their perspective as women added depth to these discussions and particularly helped in our consideration of aboriginal issues, disabled, social and economic problems such as poverty and insufficient support to employment. We cannot overemphasize that the involvement of women, as our Chairman has brought to the House's attention, is key in this process of change.

Throughout my remarks I will be quoting from the presentations of many women. In the interest of brevity, however, I will not be mentioning any of their names or the organizations they represent. This information, however, is appended to my written remarks and will be available to anyone who wishes them.

Let me begin by taking questions in turn. What are the values we share as Canadians? We heard many eloquent comments on the values and visions of what it means to be Canadian. In Ottawa, one of the presenters shared with us her moving assessment of the qualities we shared. She said:

"We believe that there is a strong Canadian identity. We are united in our desire for peace, order and good government, concerned for collective rights and individual welfare. We like to think that we are tolerant, able to compromise, value freedom of speech, social justice, caring and sharing with others. Many of us value the French language that makes us different, and we value being a middle power with a role as international peacemaker. Whenever we travel abroad, we are always very proud to be Canadian, and when we meet other Canadians, we have an instant friendship, not at all muted by whether they have a different language or a different background, because we are all Canadians abroad."

One woman from Sault Ste Marie and District Labour Council told us that "As Canadians, we share many resources and programs envied worldwide." She reminded us to: "revisit our vision of the future with positive workable solutions. We must dialogue with Canadians all across the country. All Canadians, in whatever region they live, whatever ethnic background or income bracket they represent, are all equals and deserve to have a voice in the future of our nation."

A woman in Thunder Bay hopefully told us: "We face a very serious but not hopeless situation. I believe that there is a bit of a renaissance happening in Canada, and if that rebirth is encouraged, stimulated and fostered, it can be part of a developing new sense of national purpose.... It will not be easy, but most truly worthwhile efforts are not. It is important. Let's give this wonderful country our best shot for all of our grandchildren."

Ontario's women feel very deeply the frustrations as the yet unrecognized potential of this country has not been achieved. In Collingwood, the committee was told that:

"I am very proud to be a Canadian, but...I do not believe as a country we have ever reached our potential.... Part of that has to do with our complacency.... I think this is a golden opportunity to do something differently and to really bring about some significant change in our country.... This is the time when we have some potentially creative energy that we can focus and turn to dealing with the very gutsy, crunchy issue we have, which involves, in my opinion, major revision of the Constitution." Gutsy, crunchy issue from a woman of this province.

"A government...can be very strong by providing a vision, by exercising leadership, by encouraging people to really work through their differences...in other words, be catalytic leaders...team leadership, partnership and consensus building."

Professional women, too, spoke clearly about their vision of this country. A London lawyer, who is in the House with us today, spoke most movingly about her country and the solution she sees to the present constitutional difficulties. She suggested to us that:

"Before any constitutional changes are considered or recommended, we must first seek a healing in the hearts and minds of people...straight from the heart of regular people—an expression of how they really feel about this country.

"We must get the message to Quebec and to our native peoples that we care, that we are sorry they have been hurt, but that the rest of Canada is hurting too and that we would like to sit down together and work out our differences.

"We need to pay heed," she reminded us, "to the Hebrew prophet: 'Where there is no vision, the people perish.'"

"Lester Pearson, a former Canadian Prime Minister,...said that in seeking after solutions for the future, 'Patience, strength, prudence and vision are the four qualities' to guide our way.... The real struggle is to come back first, face to face, with what we are, with what we have become and with what we want to be." That is the contribution of a woman lawyer in this province.

"We need fresh vision, fresh hope, fresh courage to approach the days ahead.... Where is our leadership? The responsibility rests on more shoulders than one. We all bear the responsibility, but particularly the people in leadership positions like yourselves, and the premiers and the judges and MPs and senators of this land, and the heads of labour and industry and religion.

"I believe in the future of Canada," she said. "And I believe enough in Canadians to rally to the occasion, to forgive old grudges, to let heal the wounds of the past, to cast off cynicism and to stand up for this beautiful land. But it will take the whole country to seize the vision. It must be separate and apart from party politics or cultural or religious differences or barriers of language or race. It must be felt as one.

"We need to mobilize like we never have. We need to cast off our personal cares and stand up for the greater good."



Moving words, Mr Speaker, I am sure you would agree, words from the heart that the committee listened to with care, and words which I think most Canadians should heed as we enter into further discussions on the future of our Confederation.

In Ottawa, we had a deputation from the Council of Women of Ottawa and Area, and I would like to close this section by quoting from the preamble of a document this group sent to the 1980 constitutional commission. Its visionary words speak even more clearly to us today.

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"Recognizing the vastness of our land and the diversity of its inhabitants, we realize that a federation is only possible through the triumph of our will for a common citizenship overarching, yet respecting, the differences of region, race, language and religion of our peoples.

"We honour those who have left us richly endowed: the original inhabitants; their care of the land from time immemorial, acknowledging their rights in perpetuity to some of the benefits of its lands and waters; the earlier explorers and settlers—the French-speaking, with their abiding faith, tenacity in the face of overwhelming odds, proud possessors of their language and culture; the English-speaking, with their great courage and fortitude and traditions of parliamentary democracy; all the others who, in becoming citizens, have made Canada a mosaic of customs, languages and cultures, a country unique in this world.

"The identity of Canada is not fixed. It will evolve and be re-created by succeeding generations building on this heritage."

Now, the next question: How can we secure our future in the international economy? As our Chair has said, this is the area we have explored the least. But the women of this province spoke to our committee. We are reminded by the women that Ontario's future lies in its financial viability. Canada's future lies in the economic sharing between the have and the have-not provinces. Federal-provincial co-operation, not provincial sovereignty, will facilitate the appropriate distribution of our country's great resources. Canada will not survive as a nation without economic security for all of its partners. All Ontarians need to understand clearly and simply what the deficit is, how the deficit is caused, what is the relationship to the provincial debt and the national debt. These are questions we must ask ourselves.

In terms of the recession, we need to know the contributing factors. What part does the world economy play? What part is affected by the United States economy? and on and on, questions we know we still need to ask ourselves and to interact with others upon.

"What roles should the federal and provincial governments play?" was our next question. In the area of federal-provincial division of powers and constitutional reform, the women of Ontario shared their expertise and insight. In Sault Ste Marie, the business and professional women's club suggested that:

"In considering future amendments to the Canadian Constitution, we would urge the government to put procedures in place to ensure that any changes in the Canadian Constitution Act affirm the rights and freedoms of women,

visible minorities, aboriginal peoples, persons with disabilities and francophone minorities outside of Quebec, and to ensure these changes are consistent with the preservation and enhancement of the multicultural heritage of Canada.

"We would ask the government to develop a democratic amending process for constitutional reform, with full, prior public debate of all issues under the Constitution and full participation of all those involved."

The committee's report noted that a number of witnesses argued, particularly in the context of federal-provincial divisions of powers, that it was important that all provinces be treated equally. Other witnesses argued that recognizing the equality of the provinces does not mean treating them the same. Equality often requires instead that different groups be treated differently. This could involve recognizing, for example, particular cultural and linguistic characteristics of a region as giving rise to needs in other regions.

The committee recognizes that to achieve equality requires society to recognize and take account of the particular needs of those people who have been excluded historically from full participation in society, including aboriginal people, women, disabled individuals and visible, linguistic and cultural minorities. I and many of the women in this province agree with that position.

How do we achieve justice for Canada's aboriginal people? Some of the most heartfelt and articulate presentations we heard in our travels across the province, as our Chair has recollected, were from native women. We were told that:

"Native women have an important role. They always have and always will." We heard them state, "We are the mothers, the wives, the nurturers and the life-givers. The women in native homes are the ones who most directly feel the effects of a poor economy. They attempt to make the best of housing, feeding and clothing their families on meagre welfare allowances or, if they work, minimum wage."

These women also play a vital role in the maintenance and protection of language and culture: "Most northern women are fluent in their first language, whether that be Ojibway or Oji-Cree, and it is the women in the homes who pass this skill on to their children. Language is the basis of our culture," they said, "and a skill we must keep."

Native women also shared with us their special perspective on the concept of the Constitution and government. A perspective of Canadian history that we in the non-native population do not often hear: "The Constitution as it is designed, the Indian Act as it is designed, the policies that govern Canada, the policies that govern this province—nowhere in those policies does it show me respect for people, respect for land, respect for animal life, respect for water and air."

Or as we heard in Dryden: "A Constitution which is built on...the acceptance and recognition of aboriginals as full and equal constitutional partners will be stable, solid and surely reflect the actual situation in Canada. If we do that together the Constitution will be more meaningful to each of us and all the more powerful."



Wise words indeed. I have no doubt that native women could teach us much. Native women correctly see themselves as the best arbiters of what is appropriate to their communities in terms of social and family-oriented services. In Kenora we were told that, "Ojibway Tribal Family Services is an existing, practising example of Indian government...where first nations assert and maintain jurisdiction and authority over areas of critical importance within our respective reserve communities."

I said then and I say now that what these women are saying is that parents are prime educators. They talked about the very explicit values of honesty, caring and loving, which we can all understand but which are much harder to practise. In short, native women, like many other women across Ontario, want, in their words: "to be treated with respect. We want to be recognized as important contributors to the existing world we live in. We want equal opportunities. We want to live in a safe, comfortable, pollution-free environment. As northern women," they told us, "we want to be part of the decision- and policy-making consultation process that will affect our lives and most important [the lives of] our children.... Last but not least, we want a guarantee that future self-government agreements include systematic equality and a meaningful role for native women."

Then we went on to the difficult question, the roles of English and French in Canada. Most of the women who participated in the committee hearings had a strong view of the role of language in our culture. "If there is to be a new Canada then I hope it will cherish, protect and encourage one of its rights of birth that make it so special...its Francophone entity."

In Dryden the group Citizens Interested in Confederation told us that: "We do believe basically that Canada is a celebration of varied cultures, and yes, there is no need to be in despair over the situation. There are Canadians, we believe, who will continue to try to persuade people that there is value to both languages, to many languages and that bilingualism is a good thing."

Quebec's future in Canada, another of our questions. Francophone women, especially in the north and the east of Ontario, have an inherent sympathy for the concerns of Quebec. We heard from a deputant in Dryden that: "Separation by Quebec or any other province would affect the country quite adversely. Our financial position in the world certainly would be in jeopardy. Other countries would not be anxious to do business with an unstable country whether the instabilities were of a financial, cultural, linguistic or constitutional nature."

In our report we agree with this view. We believe that the separation of Quebec poses significant consequences for both Quebec and the rest of the country.

An Ottawan presented the question of Quebec's future in Canada head-on. She said to us: "I am not sure what the people of Quebec want now and so I would suggest that we ask them. Is there a way in which they would like to continue being Canadians with us? If their answer is yes, then I think we should go an extra mile, try and find constitutional arrangements that would meet their needs so

that they can feel secure in the development of their distinct society."

We strongly wish for Canada to remain united but substantial change must be achieved if Quebec is to stay as a partner in Confederation. We heard that often and we agree with it.

#### 1620

As far as the west, the north and the Atlantic region, women also saw that Ontario's place is in the larger context of Canada. In suggesting future directions a Thunder Bay deputant suggested:

"First we must develop mechanisms which can cope with change and [which] can change themselves. Clearly our brand of federalism does not work any more.

"Second, we must walk a mile in the other person's moccasins. I mean that regarding native people, but I also mean it regarding those who live in Quebec, the east and the west. It is time to start considering the common good."

"What does Ontario want?" The last question is perhaps the most difficult to address. What Ontario wants was expressed to us across this province by literally hundreds of people who expressed their desire for the future of the province and indeed the country.

We also noted in the report: "A strong sense of the equality of all Canadians was conveyed to us. Although witnesses commented on many aspects of equality, some of the most important themes were that people must have a voice in the decisions which affect them, equal access to service, equal opportunity to participate in society and equal protection of the law.

"In addition, we were reminded that the Ontario government needed to play a greater role in educating the people on the key issues which concern and divide them: the potential consequences of separation, native and language issues, cultural diversity and free trade."

I would like to conclude my remarks by leaving those wonderful remarks of women behind. I hope they will be listened to and recorded and read.

I feel because I represent the riding of Ottawa-Rideau, which is an area in the regional municipality of Ottawa-Carleton, that we there have particular concerns regarding Ontario's place in Confederation, so I close with those remarks. We are in a unique position in the nation's capital due to the ease of our relationship with our sister province to the east.

The border between Ontario and Quebec is not for us an intangible line on a map which separates two autonomous communities. Thousands of my eastern Ontario and western Quebec citizens cross that line every day to travel from home to workplace, to visit parents, children, brothers and sisters and to visit the excellent recreation facilities offered by both communities.

Should this line become a national border instead of a provincial one, the impact on my community would be profoundly felt both emotionally and economically. In Ottawa-Carleton, we feel the familial bond between us more strongly than perhaps anywhere else in this nation because we are truly close neighbours united by numerous bonds on a daily basis.



The working relationship that has been developed between Ottawa and Hull, between Ottawa-Carleton and the Outaouais, the overarching role of the National Capital Commission and the efforts by various municipal and regional bodies all point to the urgency of finally coming to terms with Canada's traditional difficulties with interprovincial trade barriers.

The possible effects of any major restructuring of the Canadian Confederation will impact most significantly on my area of the country. The Outaouais would suffer major dislocation of its employment, service and business sectors if the importance of links with the national capital were reduced. Federal jobs, the major contributor to the economy of the region, would likely, over the medium term at least, be relocated to Ontario or to other regions of Canada.

Certain projections suggest that both sides of Ottawa-Hull could be adversely affected if a major downsizing of the federal bureaucracy were to occur. The economic focus could easily shift to provincial capitals, leaving this area, the area I represent, with severe economic ramifications.

The National Capital Commission has done some very in-depth work on projecting the impact of various scenarios on the population, economy, transportation and availability of social programs in this region. I am very happy to see that this work has been done, as it will facilitate future planning and decision-making.

We in Ottawa-Carleton and the Outaouais are playing for very high stakes, as I said earlier this year. We are pivotal in Canada and in Ontario. The national capital is a powerful symbol, politically, economically and socially. It is a keystone of Canada's identity.

As any restructuring of Canada begins, I trust that all residents on both sides of the river will not miss our unique opportunity to be creative and visionary, as our communities are key players. Each of us residents of this area must never forget that.

Significant groups on both sides of the Ottawa River are beginning to grapple with the real issues and very possible spinoffs of redefining or restructuring of partnerships and relationships of links that are based on historical, geographic and business foundations.

I close by agreeing with the many witnesses who felt "that because of these links"—between Ontario and Quebec—"Ontario is in a unique position within our federation and should play a leadership role in negotiating a renewed Canada."

We must all recognize the need for Ontario to play its traditionally strong leadership role during this period of constitutional upheaval. We all recognize that, although the burden of leadership is heavy, we must bear it once again with strength and with compassion, with realism and with hope. Let each of us give it his or her best shot. This is the time for each of us to act with energy, courage and vision.

**Mr Harnick:** It was an honour for me to be the representative from my party on the select committee on Ontario in Confederation. It was indeed an honour for me to have the opportunity to work with the other members of the committee. I can say that all members of that committee approached their work in a non-partisan manner. The effect of that was that we worked as a cohesive unit. In a

very short time I believe we accomplished a great deal, and the report, I think, is indicative of the quality of work that was done by that committee. I certainly am indebted to the other members of the committee in that regard.

In our travels we had a large entourage of people going with us from stop to stop. As a new member here I never realized the number of staff and the jobs they all did, but from the Hansard people to the television crews to the legislative research staff to the technical crews, certainly want to offer my sincere thanks and to add that they all became an integral part of the work we were trying to do. I am indeed indebted to them in what has proved to be a challenging, onerous and fateful responsibility, which has weighed heavily on the shoulders of all the members of the committee.

We travelled across this province, in the first week alone to Kenora, Dryden, Sioux Lookout, Thunder Bay and Sault Ste Marie. I never dreamed I would be in Sioux Lookout early in February at any earlier stage of my life, but it was a wonderful experience. I was told that the weather up there is very cold. The member for Cochrane, South told me, "Bring your parka and make sure you bring boots." I had no boots and I had no parka, and when I got up there for that first week, there was not a day that was not sunny and above freezing, so we got lucky on several counts. I think in many ways that was a bit of a good omen.

At any rate, in dealing with this subject matter today I do not want to present my discussion of this difficult issue as kind of a travelogue or journey around Ontario. I am going to try to do this in a way that does not rehash the evidence provided to us by approximately 600 witnesses. In each place we went, not just in the north but across the rest of Ontario, all of those witnesses appeared before us and spoke to us from the heart. They spoke to us without malice. They had views we did not always agree on, but the views they held were held sincerely.

1630

It is my intention today to try to speak within a more confined context. On 20 December last, I listened to the debate on this subject when it first came up and read and reread with interest the remarks of the former Attorney General. I might add that as a lawyer myself, I have the greatest admiration for the former Attorney General, who in the eyes of young lawyers was always held in awe. But the former Attorney General approached this topic of renewed Confederation and stated he did so with something very near despair. In a sense I can understand what he meant, because the former Attorney General has lived through this process and through the negotiations that came so close but left us so far from the goal we were trying to reach.

There is no doubt the risks we are now running are greater than the risks at any point in our history and that the options we have are narrower than at any time in terms of the constitutional context. Canadians have said it is not enough to merely approach constitutional revision narrowly. We cannot any longer look at dealing with one item at a time. We must now deal with all of the other types of constitutional arrangements, including all of the interests



all of the people who wish to see themselves in that Constitution. That makes the task before us all the more daunting.

The message from those appearing before us was clear in this regard. Issues affecting aboriginal peoples, Quebec, women, the disabled, the economy, our political institutions, among other issues, must all be brought to the table now for resolution. No longer can we look at single-issue Constitution-making, and there is no doubt that this fact has been recognized by the Premier in that the effort is being made to find a process that can accommodate this multi-issue negotiation.

Just to digress for a moment, the process in the first stage was a process whereby we asked people in 20 different communities to come before us and answer the questions that were set out in the paper that preceded our arrival in those locations. People were expected to answer very, very difficult questions that I suspect would make good subject matter for a university thesis. Those people came before us on the shortest of notice and we took considerable criticism because of that, and deservedly so.

However, those people who had short notice did not disappoint us in what they told us. They came before us and they were prepared. As I said earlier, they spoke from the heart and that is essentially how phase one of this study was set up. Unfortunately, we have never done this or proceeded in this manner before and we are really feeling our way and hoping this 11th-hour process will be an effective process, because we may not have another opportunity.

I believe the rationale behind this committee and our process has been to convey a message to the people of Ontario to come to the bargaining table with us, to listen to disparate views of their neighbours and ultimately to recognize that in a process of negotiation everyone must give up something if we are to succeed.

It is a difficult concept to grasp and it is a concept that did not come easily to me. As we went out on the road and heard from people, I do not know if I was unique among the committee but I would say to myself, what are we gaining by having listened to 30 or 40 presentations on the same given days and, I suspect, more on others? What are we gaining by going through this exercise?

The more I thought about that, the more I realized we were getting people involved. The importance was not just to get people involved to speak to us, but hopefully the people who were involved were listening to one another. If we can get people to listen to one another and understand that their view may be different from the next person's view, when we have to sit down at the table later on it may be with that understanding that is built up that people can then appreciate the need to give up something they started to hold sacred and to water it down because they recognize the necessity of finding consensus.

We must accept that there will not be perfection in the end result in that no one, if we are to be successful, can get exactly what he or she wants. But by getting the people of Ontario and hopefully people in other parts of this country involved, in a sense the responsibility is not just on the shoulders of the politicians. In fact by taking the public to the negotiating table, the public will have some responsi-

bility to bear. I think if we can convey that, this process can be successful and it can achieve the goals that we have started out to achieve.

However, Ontario, through our Premier, must ensure the co-ordination of our provincial dialogue with that of all the other provinces, and Ontario must ensure that this process continues to move on a national basis in the right direction. To date, I have not seen these initiatives from the Premier. He has made it quite clear that he was going to wait for our report.

Our report has now been tabled, and I urge the Premier to help make the second phase of our work easier, to help open up those lines of dialogue, to make that part of the process so we can convey to other provinces the feelings that people in Ontario have expressed. I am not asking the Premier at this stage to intervene in matters of substance. I am asking him to make our work more meaningful by ensuring that it will find a place of prominence on the national stage.

In the remarks of the member for St George-St David to which I referred earlier, he said there are but four possibilities that lie before Canadians: We can maintain the status quo; we can see a unilateral declaration of independence by Quebec; we can find a solution in sovereignty-association, or we can look for a renewed federalism involving an adjustment of the section 91 and section 92 powers.

1640

The former Attorney General was concerned that our committee would go out, listen to a whole lot of people and say, "Thank you for telling us, but we recognize that they are living for the moment in an unreal world." That has not been our experience. People genuinely recognized the need to move away from the status quo. People did not, for the most part, state, when confronted with the issue of Quebec, "Let them go." There were some, I will admit, who made that comment. But it was the young people who particularly summed up and helped me answer that question when people put it to me. Those young people, they came to the table, particularly a group in Kingston, and they looked us squarely in the eye and they said:

"We don't know anything about this. We don't know anything about politics. We don't want to know anything about it. We're not interested in it. We're not interested in politicians. What moved us to come out here is the fact that we understand our country is going to fall apart."

That kind of presentation is a presentation that lingers in one's memory. Those young people, and I am paraphrasing but I do not believe I am exaggerating, looked us squarely in the eye and they said, "How dare you create a situation where our country is faltering, to the point where our country may be falling apart?" That is pretty hard medicine to swallow, but there is no question that those young people were right.

In some areas consensus is not hard to find but admittedly in others it is difficult. With respect to native peoples, all deponents, no matter how far apart they were on other issues, came before us and they agreed that we must negotiate land questions, self-government and questions relating to justice administration, policing, education, social



services and access to resources. They also acknowledged the we, the rest of society, have much to learn from aboriginal peoples, particularly regarding their societal values and particularly regarding their approach to the preservation of the environment.

I might just digress for a moment. One of the things that my leader spoke of in question period today was the necessity that this process should begin to educate people. I believe that is a very, very important thing, a concept that we have to ensure we do in the second phase of our deliberations and investigations.

One of the aspects of understanding that people should begin to realize is that native peoples have a level of leadership in their communities that is probably unparalleled in terms of every organization that came before us. The level of expertise, the level of knowledge and the capability of the native leaders who came before us to explain the nature of their society and the need for their society to be able to seek its own destiny were unparalleled. Those people, those individuals, I suspect, make the rest of our political system look shabby when it comes to the area of government leadership. I think that is one of the very important things we should be demonstrating, because our native peoples are more than capable of seeking their own destiny.

To touch on a few more areas, there is no doubt that people want reform of our political system, particularly in a manner which will permit individuals to look upon their elected representatives with respect and confidence that they can be adequately represented. This involves modifications to some of our political institutions. I would hope that in the second stage of our work we will be able, as my leader indicated earlier this afternoon, to obtain studies and models that have been prepared so that we can go to people and we can say to them: "What do you think of this study? How does this affect you? How will this kind of change to your political institutions make people in your area of the province attain better representation?" I think it is important that we embark on that type of process in our second stage.

In our travels there seemed to be a strong consensus that Canada should continue to have a strong and an effective central government, a government which would effectively be able to set national standards in areas of health care, in areas of education and in areas dealing with the delivery of social services. I believe as well that when we look at this concept we have to see what kinds of models and find out what kinds of models we can deliver to the people whom we will be seeing in the next stage, to illustrate the different powers that a federal or a provincial government should have in order to attain and achieve the goal that was so strongly pointed out to us in the first stage of our work.

Regarding the province of Quebec, one of the common themes emerging was that of equality and the recognition by people that equality does not mean everyone must be the same. People told us that as long as everyone is guaranteed equal opportunity by our Charter of Rights and Freedoms and our Constitution, in whatever form it takes, people can live with the idea that someone in another

province, because of different circumstances, may have to have different rights. That illustrated to me that some of the models that we set out in this report have a chance indeed to find acceptance and that gives me some cause for optimism. It may well be that with the development of that sort of attitude, a form of asymmetrical Confederation can and will be achieved. Again, I refer back to what my leader stated earlier, and that would be to be able to go out into the field with the kinds of models to show people what asymmetrical Confederation would look like, so that they could provide us with their input. We have to be more specific when we get into our second stage.

#### 1650

There is no doubt in my mind that official bilingualism in Ontario will not contribute to a solution of our current constitutional problems. People in Ontario recognize this and they recognize that English is the language of administration in the province of Ontario, but at the same time they recognize and are tolerant of minority language rights and the need for protection of these rights.

I had the opportunity as we travelled to ask people, both anglophone and francophone, what I believed were some penetrating questions to determine how far they would be prepared to go in recognizing other language rights. I can tell members the letters keep coming to me and most of them are not all that complimentary and I can now take this opportunity to publicly apologize if I represented myself in a manner that was improper.

However, those members of, for instance, the Alliance for the Preservation of English in Canada, by permitting me to ask them those penetrating questions, acknowledged that they could to a degree live with the provisions contained in our Bill 8, the French Language Services Act. I had the opportunity to personally engage in a dialogue in Orillia with a gentleman who represented that association and I publicly wish to say that I personally appreciated his honesty and the fact that he was prepared to acknowledge that he could take that step and live with the provisions of Bill 8 on the assumption that those provisions would be properly explained and fairly implemented.

The report of the committee thus reflects the aforementioned conclusions with respect to language rights. This was a contentious area, but I firmly believe that Bill 8, which we have supported in the past, is the vehicle that we need in this province, and I believe it is a vehicle that, when fairly implemented and when properly discussed and explained, can meet the needs of all of the citizens of this province.

The one area that I have not yet discussed is the area of economics. This was a very difficult part of our study. I will admit that we had people who, for various reasons, came before us and said, "Look, free trade is what this whole discussion is about," but they really did not know very much about free trade. They really could not give us the conclusions that we were looking for.

In addition, people were obviously affected by the recession that is now gripping this country and other countries in the world. Unfortunately, people were not able to give us the economic answers that we wanted. But tying in with this is a discussion on the economic effect of Quebec



leaving this country. My leader talked about that earlier this afternoon and he said that it was important that the Premier convey—and I hope that he will, by way of studies which have been undertaken—the economic impact of Quebec leaving this Confederation. This aspect of the stage 1 process, I think, struck fear into every person on this committee.

We had the opportunity to meet informally with members of the department of intergovernmental affairs at Queen's University. The time was short. We did not really have in stage 1 the opportunity to go into the economic details in any lengthy degree. But we were told that Quebec's leaving would have an impact on free trade: that an agreement may not exist any more. On the surface, that may make many labour people happy, but other treaties would go the same way. The auto pact, which is a form of free trade agreement, would be gone. The GATT agreements would be in question. I might also add and reiterate what the professors from Queen's University told us. They told us—I certainly do not have to tell my friends on the other side of the Legislature—that the auto pact not continuing would devastate the economy of Ontario. They told us that a very significant element of our economy and a very large percentage of jobs in this province all relate to the manufacturing of automobiles. If Quebec were to leave this Confederation, the opportunity to be part of an auto pact with the United States would in all probability be lost, and that frightened me and I think it frightened every member on the committee. It frightened us all, and we wished there was some way that we could convey this message to everyone in this province. In stage 2, I hope that we have some of those impact studies and I hope that we can be in a position to convey to the citizens of this province the devastating effect that Quebec's departure would have on our economy.

100

There is much work that the committee must undertake in stage 2, and unfortunately our time is very short. I urge the Premier to begin a dialogue and take the lead in speaking with the rest of the country, to aid us in our task, to open the lines of communication and to enhance our ability to bring as many people to the bargaining table as we possibly can. Only in that way will people understand the necessity to give something up to get something back which is of much greater value to the whole of this country.

**M. Bisson :** C'est avec plaisir que je prends la parole aujourd'hui sur une question qui touche nous tous comme Canadiens, une réalité qu'on n'a jamais été capable de comprendre.

The first thing I would like to say is that I feel very privileged as an individual to be able to have served on this committee and to work on this particular issue. Not too long ago, some six, seven months ago, I was back at work in my community doing what I did best back then. As part of my life here I never dreamed of the opportunity of being able to serve on such a committee.

I think one thing that needs to be said is that the work, the things that I have learned from dealing with the various members of the committee from all parties—from the Lib-

eral Party, from the Conservative Party and our own, the New Democrats—have really helped me to understand what my job as a member is and what our responsibilities are, not only as members of this Legislature but also as citizens of this province, of this country.

Je pense que le processus par lequel nous sommes passés a été pas mal unique. On a décidé qu'on était pour donner la chance et la parole aux gens de la province de l'Ontario et de dire pour une des premières fois : «Vous, citoyens de l'Ontario, dites-nous quelle direction on doit prendre, comme individus ici, sur la question de la constitution».

Ça veut dire oui, qu'à la fin de la journée c'était un peu plus difficile. On ne s'est pas assis ici à Toronto en attendant que le monde vienne nous voir. On a été chercher le monde dans les communautés partout en Ontario, de Sioux Lookout, Timmins, Ottawa, Kingston, Windsor, pour n'en nommer qu'une couple.

Pour la première fois dans l'histoire de la province de l'Ontario, on a utilisé les réseaux de télévision parlementaire pour pouvoir donner la chance à ceux à la maison de regarder ces émissions. À la fin de la journée, comme gouvernement, comme députés des Législatures de toutes les provinces et du gouvernement fédéral, les gens ont besoin de commencer à penser à ces questions : c'est quoi le Canada ? Qu'est-ce que ça veut dire pour moi comme Ontarien ? Qu'est-ce que ça veut dire comme Canadien de ce pays ? Est-ce que c'est quelque chose qu'on veut regarder ? Est-ce que c'est quelque chose qui nous tient à cœur ? Est-ce que c'est quelque chose qu'on veut être capable de garder ? Est-ce qu'on veut être capable de travailler pour pouvoir ramener ensemble le peuple de ce pays une fois pour toutes et dire qu'on a tous notre place dans ce pays-ci, francophones, anglophones, autochtones, multiculturels et toutes les personnes de ce pays. ?

À certains moments, c'était très dur pour moi comme francophone, comme membre du comité d'écouter ce que certaines personnes disaient. Mais je me rends compte que ces gens, en disant certaines choses, ne sont pas méchants. Ce n'est pas qu'ils veulent faire du mal au monde. C'est qu'il leur manque une certaine compréhension, comme nous tous dans notre communauté parfois. Je pense, une fois pour toutes, pour faire quelque chose de ce pays, qu'on devrait s'asseoir comme adultes, comme personnes, et dire : «Écoute, on va écouter l'un après l'autre, on va se donner la parole et puis on va commencer à parler des questions qui ont faits de nous des Canadiens : c'est quoi le pays ? Qu'est-ce qu'on définit ? C'est quoi notre culture ? C'est quoi nos valeurs et où veut-on aller ?

We spoke on many issues when people came before us. I should say people spoke to us. When you switch from one language to the other, you have got to get the language back again. People came before us and spoke on a number of issues, and I just want to highlight one thing.

One thing that was very common through these whole hearings is that people came before us and there was a lot more consensus out there than what we are willing to admit as Canadians. Sure, we sit there and argue about our differences, but that is almost a Canadian tradition. Every major historical point in the development of this country



has been an argument. When a little man in Saskatchewan, who is a big man in my heart, Tommy Douglas, said let's do something about trying to provide medical care services for the people of his province, and later on the whole country, we fought as Canadians. We said: "No, no, we can't do that. All the doctors are going to run to the United States and we're going to be devastated." I do not want to debate the issue, but we fought it from both sides and at the end of the day we managed to work out a consensus. It is almost our national identity every now and then to do this kind of thing, and in almost every major thing that has happened in this country and this province, we have gone through this whole debate.

I think what we need to realize once and for all is that disagreement is not a bad thing. It is not a bad thing to have a little fight every now and then, but we must keep it civil and we must say at the end of the day that: "Yes, we need to respect each other's differences, and yes, you're different than me. I speak French, you speak English. You're a visible minority, I am not. You live in Quebec, you live in British Columbia," whatever the issue may be, but we are all people of the same country, and that is the bottom line. I am sorry, I cannot accept anything less than that, and somebody who says to me—and I am getting a little bit emotional—that this country has to be the same, well, I am sorry, I cannot agree with him because sameness does not promote anything other than sameness. It does not promote an understanding of differences, it does not promote—

**Mr Ruprecht:** You saw what happened to Peter Kormos.

**Mr Bisson:** Excuse me, this is not party politics. This is an issue that I think is fairly serious and let's not get into this, okay?

But sameness is not something that promotes the understanding and being able to build a tolerant society and to develop the infrastructures of the things that we need as Canadians to evolve.

What is uniquely different about this country is that when we set out, back in 1867 and before that, we said we wanted to build a different model. We were not going to be the American melting pot. We were going to go out and we were going to accept that there were some differences in building a nation and that we were going to build a certain amount of tolerance within it. No matter if you were Ukrainian, Italian, English, French, whatever, that was going to add to the benefit of this country. Then at the end of the day we would build a nation that has a certain amount of understanding so that we can go forward and build the things that we need to survive as a nation, and that is what we set out to do. We did not do as our American brothers and sisters did in the south, where they said, "We want to build a country that is the same." That is fine for them, and I respect that, but that is not the decision that we made here in this country.

1710

I think at this particular time of our history many Canadians are confused and are somewhat concerned about what lies in the future. I think, as we all do at any time, we

take a look at what is happening with our economy. Sure, it is easy to sit there and say: "I blame you, you blame me. It's the other guy down the street, it's the woman across the alley," whoever, but the reality is that we are not going to solve the problems pointing fingers at each other. We are going to solve the problems when we sit down as Canadians and start becoming proactive about building this country and building this economy. That is what is going to make the difference at the end, but I think what is underlying is that people have a certain amount of fear.

There was a woman who appeared before our committee and I wish that I could take the credit for what she said, which to me sort of exemplified maybe where Quebec is coming from. It is that they have the same fears that we as Canadians have. We as Canadians, all of us across this country from one end to the other, said that we were going to start this journey back in 1867 and we all got on to a ship and we decided we were going to give that ship some direction. Rightly or wrongly, we gave it direction and we said: "That is where we want to go. We are going to that point somewhere out there."

What has been happening over the past number of years because of a number of reasons—because of world economic conditions, because of policies of all governments in Canada, both federal and provincial, because of what our American friends to the south have done in regard to a number of policies that they have set forward, the European Community and a number of other issues and generally just the world economy—is that all of a sudden for some reason our direction is starting to change and it is not going in the same direction that we set out initially.

What she said was that the people of Quebec are saying: "Hold it. When we got on this ship we said we were going that way. Why are we going over there? That is not where we want to go. We want to go over there." What she said is that they are saying: "Listen, if that ship is going to go off over there and possibly hit the reef somewhere, excuse me, take the little lifeboat. I want to get in and get off. I realize that at the end of the day that ship, that lifeboat may get lost as well and we may starve and we may drown and we may hit the same rocks that the big ship is going for, but at the end of the day at least we are going to try to maintain the direction that we set in 1867."

I think that is what the people of Quebec are saying and it is hard for some of us to understand. I do not fully understand it either, but I think they are trying to say something. They are trying to say, "Let's look at that direction that we set forward and let's try to give it some vision again. Let's try to give it some direction so that at the end of the day we can all pull together as Canadians in the same direction," and that is the bottom line.

We realize that process is going to be difficult, that we are going to disagree and we are going to fight and we are going to have our differences, but we do that every day in our Legislature, so we make some pretty good laws. No matter what government is on this side—I am a little bit biased, but I think obviously—

**Mrs Y. O'Neill:** Ours.



**Mr Bisson:** Good one, Yvonne. But I think the thing a little bit of disagreement from time to time is not a bad thing. I think we need to listen to what Quebec is saying, and not only Quebec but what other regions across this country are saying. The maritime provinces, Quebec, Northern Ontario, the Northwest Territories, the Yukon and British Columbia and the midwest provinces are saying: "Listen, there are some problems in this nation and we feel that we're not getting proper recognition from our federal government. I'm not getting the kind of money that I need to develop my own economy in my own little part of the country. I want to be able to have some control on that, let me if I am in British Columbia or if I am in the Maritimes or in the province of Quebec."

All that Quebec is saying is, "Let's readjust it." Sure, on a scale of what they are asking to do may be unacceptable to some, but the journey has to start somewhere. Do you just sit there and say: "Well, let's hope it comes one of these days. I'd like to buy a house, so I will sit on the street corner and wait for somebody to give it?" You have to go out there and try, and that is all they are doing. They are sending a message out there and now it is our responsibility in the province of Ontario, the federal government and the rest of the provinces to say, "Well, okay, let's find out how far we have to go." At the end of the day, who knows? Maybe the stakes will be too high. Maybe it will be unacceptable. Who knows? But if we do not try, we will never find out.

A number of people said things when they came before the committee. I think one thing that was of unanimous consent when people came before us was the question of the aboriginal people, the one group of people I think that we have forgotten since before 1867.

There is a wise elder who told me one time that the big problem that happened was that when the Europeans first started coming over to Canada, or what is now Canada, they had a little bit too much of a liberal immigration policy that allowed them to get into the mess they are in now.

But the situation is that we need first of all to start addressing the needs of the aboriginal people and start recognizing what their needs are and what the problems are. We—maybe unintentionally, maybe out of design, maybe because we did not know any better—said, "Listen, we're not going to allow you to make decisions over your own lives," back in the 1800s. "We're going to put you on reserves and that's going to be your little corner of the country where you can do what you want and keep your own little cultural things and develop your own way of life." But it has not worked for them because they have not had the power to be able to control their own destiny.

I think the one thing that we heard very clearly is that the people of this province are saying enough is enough and let's once and for all sit down with the native people and ask them what they want to do and what direction they want to go. Sure, it is a direction to self-government. That is no secret. But I think what they said and what we need to respond to is that they first need to identify and define what self-government is, what the terms of reference are in regard to them as a native people, and at the end of the day

we move according to their speed and we do not try to impose on them what we think we should be doing and how they should be doing it. We should give them the tools to be able to develop as a people.

Les autochtones ont dit une autre affaire que je trouve très importante : être capable de développer leur propre système, jusqu'à un certain point. C'est pas mal la même question qu'ont posé les francophones de la province de l'Ontario. Ils ont dit : «Pour nous, pour être capable de développer notre culture comme autochtones, on a besoin d'être certain que d'abord on a l'opportunité de développer notre culture à travers notre langue et protéger cette langue. C'est important d'avoir notre éducation gérée par nous-mêmes».

C'est la même situation pour les francophones. On paie jusqu'à un certain point, et puis il y a encore un autre bout du chemin ; on parle des années. Il faut reconnaître, une fois pour toutes, qu'il y a différentes personnes dans ce pays-ci : des autochtones, des francophones, des anglophones, des multiculturels qui veulent dire : «Oui, on a besoin d'avoir certains processus en place qui protègent ce qu'on appelle ces minorités». Moi, je leur dis qu'ils ne sont pas minoritaires, qu'ils sont égaux à tous et qu'il faut leur donner les outils pour être capables de se bâtir comme peuple. À la fin de la journée, si l'autochtone ou n'importe qui est fier de lui, il sera alors capable de se développer dans la société en tant qu'égal et concourir directement, comme tout le monde.

One thing I have to say is that before getting up to speak I really did not know what I was going to say, and maybe it shows.

**An hon member:** What is new?

**Mr Bisson:** What is new? I was saying: "How do I get up within a 20- or 30-minute period to be able to express all of the things that we have heard and to be able to try to give whatever little wisdom I have? Because I am only a part of this thing—this thing is bigger than me—and how do I do that?"

I have to sit back and think about some of the presentations that were given to us and the one thing that struck me through our committee meetings is those people who spoke from the heart, who said to us, "Yes, we only had two days to prepare and I only got a call yesterday about your being in town," came before us and gave presentations that I think really moved this committee. I have seen over the period of the month of February an all-party committee come together and work together like I have never seen before and be able to really sit down and try to get some answers around some of these questions.

What I am trying to say is that at the end of the day we have a long journey to go, but we need to walk it together. What we need to do is that we have to act with a certain amount of civility and a certain amount of responsibility and rise above party politics and the name-calling and the rhetoric and the pointing fingers at each other in regard to, "What are you going to do?" or, "What haven't you done?" or, "How are you going to do it?" and sit down together as Canadians and try to solve some of these problems.



It means that we as politicians and we as individuals of this province and this country and yes, the media, have to deal with this issue in a very real way and a very responsible way of not raising concerns out there and building on the fear-mongering. Because if we raise the rhetoric and start calling each other names, at the end of the day we will never get through this.

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So the only wisdom—well, I wish I had more wisdom, but the wisdom that I guess I am trying to pass on and the thought that I have is that what we need to do at the end of the day is that we have to sit down as all Canadians and try to be able to solve some of these problems together and to realize that yes, we are different, that yes, we have different languages and we look the same and we think the same, or we do not think the same and we do different things, but at the end of the day, that is what makes this country unique.

I would challenge every Ontarian and every Canadian to start thinking about that and to take a look at his brother and his sister, at his neighbour across the street, and find out what binds you together. It may surprise you, because I know my experience through this committee work and listening to what a lot of people had to say on issues that I was opposed to initially; I built a greater understanding and respect for the people of Ontario to know that we are decent people in this province, and we care.

There are people out there who are hurting on certain issues and we need to address that, and we need to do a bit of educating to make sure that people understand what bilingualism is, or whatever is, and to be able to build a certain amount of understanding so that at the end of the day we can try to solve some of the difficulties in this country and to put that ship back in the direction that we set out on in 1867 so that we can finally go on and build the things that we need to do.

**Mr Beer:** It is a pleasure for me now to join in this debate. I would like at the outset to also note what a pleasant experience it was for all of us, even if at times the days seemed very long, to get to know new members on both sides of the House and work closely together. I think, as a number have expressed today, that experience was extremely useful, worth while and rewarding as we tried to wrestle with some of these questions, I suppose many of which in some ways do not have a specific or simple ending.

I want to compliment the Chair of the committee and the Vice-Chair. Having had the experience once before of chairing a committee on the Constitution, there are times when it can be a little difficult. I think that they performed their duties very well.

I want also to underline, as has been noted, the work of many other people—the Hansard reporters, the clerks, the people who were dealing with the television, because this was really a novel and new process where for the first time we were televising a committee across the province. Many people put in very long hours.

Perhaps it is something we want to note at this time as well that, because of the presence of the member for York

East on the committee, we had such extensive signing that went on everywhere we went and indeed many representations from deaf people. I think all of us were somewhat in awe of the incredible work that the American sign language interpreters did over many long hours.

So I think there are a lot of people to thank and it is appropriate at this point to thank all of those people who helped make our task that much easier.

There are many elements of this debate that we can get into at this point. I think that in the time that is available to me today I would like to pick up on two or three themes which it seems to me are important that came out of our discussions with people around the province and I think can help guide us in the work that we do over the next three months; indeed can help guide the government and can help guide the discussions in the country which will go on for much longer than that.

The first point I think is to look at the state of democracy, if you will, in the province.

A number have noted today that tremendous emotion and feeling that came out of so many people who came before us, some just to speak for five minutes, some for longer, but who wanted to say what they felt about this country. The real value of the hearings in this first part, and I think it is important to underline, was not that we were going to hear from the “experts” or only those who represented province-wide associations, but rather that we were trying to get a sense, to find the pulse of Ontario, to get a snapshot in the month of February of where people were at.

In doing that, you get some comments that you do not always agree with, and indeed at times get some comments that you may quite strongly disagree with, but the importance of ensuring that people in the province can come before a committee of their Legislature to present their viewpoints is very, very important.

It is important even more so at this point in time, because I think we all recognize, and have for some time, a certain malaise in the public with respect to our political institutions, with respect to politicians, with respect to political leadership. I think that is something that as we went about the province, we learned a great deal about, and it is important that we address it head-on, that we understand that the people who talked about reforming our system of government were not just people on the fringe—they exist—that is certain—but for many people it was a sense of being disconnected somehow, of being alienated from the system. We recognize that in any system people are going to have those feelings, but I think what we heard and what we saw, and indeed what the Spicer commission is hearing and what is being heard in Manitoba, is that there is a need for us to really look at how well our political institutions are serving us.

I think, as has been noted by other members of the committee in speaking today, that is something that we are going to have to turn our attention to as we go forward in our work, because no Constitution, no country, is worth anything if people do not feel that they are involved with that country and that Constitution, that what they have to say matters. I think if people can feel that and believe



It is meaningful, then the fact that a government does always do or a political party does not always take its exact position is not what is important, but rather that they have been able to have a fair say. That is a message which I believe it is important for us to say to the people of this province that we heard, and we are going to have to look at how we can better implement that message in real ways so that people feel that what they have to say about the political system and about our democratic system in the future will occur.

The second principle that I think was very important that emerged from our hearings was what I would call the pluralism that we have in our society, the diversity, and the importance of really looking at that as a tremendous strength. Somebody was mentioning the other day that in metropolitan Toronto we have a municipality that is the most culturally and racially diverse in the world. When we think about that, it is incredible in terms of what that means this city in which the Legislature sits is like.

We know that people can be at times frightened of change and see that kind of diversity as perhaps a threat, something that is not going to allow us to become, in some way or other, Canadian.

I think that what we heard from so many people, whether we were talking about multiculturalism, multiracialism, whether we were talking about languages, the role of English and French, whether we were talking about the role of the first nations, whether we were talking about the Canadian who had just recently arrived or who had been here for generations, is that this diversity is real, that it is not something we should be paying lip service to, that it is real, that it is meaningful, that it is important and needs to be reflected in our Constitution, which in turn must be a reflection of who we are, what we are and what we want to be.

We could probably point to virtually any town or city that we were in where there was somebody who spoke to that theme and where you left the table at the end of the meetings and you felt better about being a Canadian because of something that was said. My colleague the member for Ottawa-Rideau earlier today I thought quoted a number of wonderful examples that spoke to that theme from a number of women who had participated in our proceedings, but I think we want to take to heart this sense of pluralism, this sense of diversity and see it as a real strength. I think we have expressed that in our report, but it is important to speak to it and to support it.

J'aimerais aussi souligner une chose qui pour moi était très importante : voir les francophones et surtout les jeunes francophones qui sont venus devant notre comité, et qui ont exprimé quelques désirs, quelques points de vue importants pour tous les Ontariens.

On a dit : «D'abord, on est Canadien et on est fier d'être Canadien, mais on est aussi, comme francophone, Français-Ontarien ou une Ontarienne». Comme on l'a dit dans notre rapport : «Icette, on est chez nous. C'est notre place en Ontario. Peu importe ce qui arrive au Québec, nous sommes Canadiens, Ontariens. Nous sommes des francophones de cette province de l'Ontario. C'est ici que nous allons rester. C'est ici que nous allons bâtir notre avenir et

nous voulons le faire avec vous en tant que francophones, en tant que Franco-Ontariens».

Je pense que c'est important, parce que trop souvent il y a des gens dans notre province qui pensent que tous les francophones sont simplement des Québécois. On n'a rien contre les Québécois, mais nous avons ici dans cette province une communauté francophone qui est canadienne et ontarienne et qui veut participer pleinement, pas simplement à son épanouissement mais à l'avenir de notre province et de notre pays.

Donc, c'est un autre aspect de la diversité dont j'ai parlée. C'est un aspect vraiment important et c'est pourquoi, dans notre rapport, nous avons dit que la protection et l'épanouissement des droits minoritaires sont si importants. Peu importe ce qui arrive, il faut s'assurer que les francophones de notre province s'épanouissent.

The third point that I think emerged and that was so important was the one that I would link with national vision, our sense of who we are as a people, and again so many came before our committee to speak to that point. When we look at Ontario and Ontario's role in the constitutional and historical development of our country, what we see are I think leaders from all walks of life, from all political parties, who have said we have a particular role to play in helping to define what that is, and one of those roles is our link with the province of Quebec. I think it is important historically for us to recognize that what we today call Ontario and what we today call Quebec, that geographic entity has been linked since the beginning of the first European settlement in what we today call Canada. We are now in what at one time was la Nouvelle France, New France.

Sometimes I think we forget about our history, we forget about what has made us the people we are today and it is very important to recognize that historically, culturally, linguistically, geographically, economically we are very much linked with our brothers and sisters in the province of Quebec. That remains very important as we go forward in trying to listen to Quebec and to understand its concerns and to understand the kinds of proposals that it is bringing forward. I think when we read in the newspaper about what is going on in Quebec and the series of demands or proposals that are being made, we need to recall that they, like us, are people living in communities, working as business people, involved in unions, involved in various social and community activities. So what we have to do now is to make sure that going from this report, we deal with those fundamental issues about how the country should be shaped but do everything we can to link and to make contact with those in Quebec.

I think our responsibility here in this Legislature is to make sure that our counterparts in Quebec are not isolated, that we can talk to them, that we find ways of ensuring that we can dialogue with them around all of the proposals that over the next series of weeks and months are going to be brought forward. While, as we underlined in our report, we are at a crossroads, we are at a very difficult time in our history, do not underestimate that element of personal leadership that each one of us here and in other parts of our province can exercise. I believe firmly and strongly that



individuals can make a difference, but of course we can only make that difference when we recognize what the issues and the problems are and we reach out and we begin to talk directly to those who are involved in that discussion.

I think now as we move from our interim report, that is the challenge that we as a committee have, to try to reach out and bring people together around some of these issues and values. If we can do that—and I believe that we can—then I believe that over the period of the next year, year and a half, whatever it will take, we are going to find a way to ensure that at the end of the day we have a strong Canada in which Quebec can play a full part and wants to play that full part and in which, certainly in Ontario, that diversity of which I spoke will not only be seen as a strength but definitely will be a strength and will help us to go on into the next century and to meet all of those challenges.

But if there is a message from our report which I think it is important for all of us to hear, it is that the bell has rung. It is wake-up time. It is time for all of us in this province to become very much engaged in the discussion around the future of this country and I am confident that if we do that, we will be able to work with our fellow Canadians throughout this country in bringing about a solution to these various issues which will see a Canada of which we can all be proud.

It has been a pleasure to serve with everyone on this committee and I look forward to the work that we are going to do over the next three months and work we are going to do and share with our colleagues in this House as well as with others in our own ridings. Thank you for this opportunity to participate.

**Mr Malkowski:** This has certainly been very inspirational. It has been a real honour to be on the committee. It has been a great experience working with the various members from the Progressive Conservatives and the Liberals and our own party. It has been really a great co-operative team and we have definitely maintained the team approach and it has been incredible teamwork.

While travelling across the province, going from the easternmost areas, west, hitting southern Ontario as well as the north, we have listened to a great deal of people, many presentations, people who have brought their ideas and their feelings to us, people from across Ontario who have been very honest, very up front in what they felt and how they saw Canada and what they felt about the Constitution.

Much of what they had to say expressed both negatives and positives in their views of Canada, and I think if we look back to 1867 and the founding of the Constitution in Canada, that at one point was a mirror that reflected a proud and distinguished Canada. It had self-identity and it brought together the views of those people, but now we see that the mirror frame was not hung on a hook that was stable and we have seen that the hook is no longer able to maintain the Constitution as it was. There are changes in power, cutbacks in power, economic changes that have made a dramatic impact. CBC, for example, has been cut. The cuts that we have seen—Via Rail, which was such a national issue—all of these issues are of grave importance to us.

Oh, wait a minute. Is there a problem with time? Well, I guess I will have to move to adjourn at this point then.

**Mr Offer:** Mr Speaker, if I may, my understanding is that we were going to rotate, divide the time equally. I understand, speaking with the Conservatives, that they are going to be speaking about this in continuation on Monday and that there was an extra 12 minutes on their portion of time. I think it is fair to say that we would have no objection from this side if the honourable member wishes to take some of that time period. We would have no objection to that and certainly that would not affect or interfere with the, I believe, 10 minutes of time remaining on our side. So we would have no objection to that if there is no objection to this from the Conservatives.

**The Speaker:** All right.

**Mrs Marland:** Mr Speaker, since the 12-minute surplus was in fact ours and we have made the decision not to use it today because it was not long enough in residue time, we would be supportive of the suggestion and perhaps share equally between the government members and the official opposition members.

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**The Speaker:** Six minutes each side. The gracious offer is obviously in keeping with the spirit that has been developed with this Confederation committee, for which all members are to be congratulated. It is excellent. The Chair is certainly most appreciative. On that understanding, the member for York East has an additional six minutes and there will be six minutes allotted to the Liberal caucus.

**Mr Malkowski:** I thank the member very much for allowing us to use that time. I guess that is what I mean, we certainly developed a sort of family attitude after the travels that we have been through.

The information that we collected throughout the month that we travelled dealt with some of the issues, for example, brought to us by the aboriginal people talking about their own values. I think that those of us who were together for the peace pipe smoking ceremony will remember how touching that was, the sharing of that cultural event. Throughout the province we saw native leaders bringing a message of respect, of peace, of tolerance and acceptance of other people. That was a theme that was reiterated throughout the hearings. I think their values are something we can certainly learn from.

We saw the anglophones and the francophones who came to speak to us sharing their values, talking about their heritage and their traditions and the founding of their own cultures.

We also were able to hear from a variety of minorities and multicultural groups, people who wanted to talk about how they saw their identity in Canada and the issue of multiculturalism as a value in Canada. Many of them talked, again, about respect, respect for their own values, their own heritage and language and culture. I think that one of the most important things was the issue of complete access, access for real participation in society. They talked about cultural interpreters, which was a means of allowing



people to access information and to be a part of Canada. They talked about how proud they were to be Canadians. More important, we also heard from groups such as the disabled community, which is one of the first times that committee meetings were actually accessible to the disabled community, because we had full participation from the community. We had sign language interpreters captioned on the parliamentary station so that the information was accessible to various communities. We made sure that we were in buildings that were wheelchair-accessible. There were telecommunications devices for the deaf provided so people could phone in.

We saw that people were able to actually come out and speak, and they talked about, for example, the recognition of deaf culture, their language, which is American sign language, and *langue des signes québécois*, which is the French sign language that is used in Canada. They talked about how having ASL and LSQ allowed them to participate fully as Canadians.

We had deaf/blind community members come out and speak and I think that made a dramatic impact on all of us, the experiences that they shared. I know one individual talked about the need for intervenors as an important way to allow deaf/blind people to access services. Right now there are only six hours of intervenor time permitted a week to people such as these. I think that they spoke out very strongly about providing real access so that services such as Braille services, teletype services, interpreting services and caption services be available to allow all people complete access.

We had people in wheelchairs, people discussing the issues of transportation as a means of accessibility to society. I think that was extremely important, that these groups came out. Again, the message was the same, "Please respect our rights, our freedom to choose to be independent, to participate fully in society."

We also heard from other groups which talked about the need for us to work together and a sharing and co-operative approach that was absolutely essential. There was a lot of the need to maintain social programs, to improve economic situations, to provide training and the value that is placed on the health programs.

Again, the mirror somehow is not reflecting all of these speaking groups in Canada, in Ontario. We are starting to put the pieces of that broken mirror and place them back together so they do reflect people, the natives, women's needs and issues, minority groups, the various values that all Canadians can share, issues that deal with the environment, peace and security. That shattered mirror is beginning to be put back in place and it will reflect Canadians. I think in phase 2 we are going to see the various groups coming together, the key players, the aboriginal people, women's groups, various multicultural organizations, disabled Canadians, all of these groups I think will be able to come to the table and talk about constitutional issues, the protection of their rights and how the Constitution affects them and they can be part of the mirror that reflects Canada.

One of the parts that I think has been missing is the issue of Quebec, and that is an important part of Canadian identity. They too must find a place in the Constitution, a

place in Canada, and we have to have open debate with Quebec. If we can get the Quebec missing piece back into the mirror, we will see a mirror and a Constitution that reflects us all. The hook that I mentioned that was no longer stable, that broke the mirror in the first place, can be repaired. Every Canadian can look in that mirror and say:

"That's me. I'm in there. I'm a native Canadian. I'm a woman who is a Canadian. I'm deaf and Canadian. I'm disabled and Canadian. I'm there. I can look in that mirror and I am there. I reflect Canada."

We are all there, a new Canada with a new vision, and that is a goal that we are all going to work towards and I think that can become a reality in phase 2.

In closing, I think that one of the things that was very important to me was the recognition of the various groups. I think one of the most important groups that spoke to us was the disabled community, because finally they were able to participate, and they foresee a possibility of participating as full Canadians and being reflected in that identity.

**Mr Offer:** Let me say how pleased I am to also join in this debate on the role of Ontario in Confederation and the report of the select committee. If I might, today I would like to confine my comments to a few general themes. First, I think it is important to speak to process because from process many aspects unfolded. Second, I know that the report speaks well to the issue of values and what we heard, but I certainly want to take some time to deal with that issue. Third, I want to talk about where we go from here.

Dealing with the process, I must first indicate what a real pleasure it was for me to serve with the members on the committee, not only those who were originally selected but, of course, a number of members who very well and ably subbed in at particular points in the committee to carry on with the work which we were doing, so we must not ignore those who did take some time at certain points in the process to come forward.

Second, and I know this has been stated often before and most likely afterwards, was the tremendous work done by the legislative staff, by Hansard, the clerk's department and indeed all those around the committee. We were televised across the province. It was for us as committee members to come to the committee, to sit down, to listen and to partake. We as committee members certainly became very sensitive and appreciated that before we sat down at that table there was tremendous work in setting up the particular room, in making certain that the transmission was all in order, in making certain that the stage, if you will, was set for the continuation of our hearings.

It was long, it was hard, it was gruelling, I would imagine, in many ways because of the travel which we were doing, going through the various areas in the province. That made it even more difficult for those support staff, clerks, Hansard, to perform. Let me say, from my perspective—and I have been a member here since 1985—it was extremely well done, and I use this point just to congratulate and thank them, as one member and, I trust, as representative of all the members, for that work done.



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I would not like to leave this part without making note of the signers for the member for York East. I, as a member, had not had that type of experience before. It was in many ways a growing experience for me, not only as to what we heard in the committee, but the whole aspect of sign language, the whole area of the deaf culture, the whole issue of some of the barriers, some of the challenges that are experienced by the hard of hearing each and every day. I know that this is something which others physically disabled, challenged, must also experience. On that point, I would just like to state how very impressed I was with the work done by the signers in our experience.

Dealing with the process, I think back to another time. This was in a committee where many individuals came forward. I think it is important to recognize that it was not with a specific or defined focus. Yes, we had a consultation paper and, yes, there was an issue, but it was not a defined type of focus. It was people, it was associations, it was groups of individuals coming before us to talk to us about what was important to them. In some instances it was on an issue of some sort; in others it was the question of Canada and the Constitution, of Ontario's role in this country, and of their vision as to what they see the role of Quebec in Canada.

They came before us, some sitting down at a table without text, without previous experience of coming before committees, telling us what was important to them and telling us in a very real, compassionate and emotional way how they felt about their country. I was quite moved by so many of those presentations. We heard, I think it is fair to say, a variety of opinions. Some were extremely moving; some were very well-thought-out; all were characterized by an intense caring for this province and for this country.

Much has been said in other areas that we are somewhat different from our neighbours to the south, from the United States. We are different because we do not sing the national anthem as loudly as they do; we do not sing with hand over heart. But I do not believe there is a country in the world that has as many people that would almost trip over themselves to come before a committee to talk about what is important to their country, what they feel their country stands for for them and how they feel their country is viewed by others.

So let it not be said that we mark the caring of individuals for their country by how loudly they sing the national anthem or whether they do it with hand over heart. We mark it in terms of people coming before committees such as this, we mark it in terms of people unafraid to say what they feel and we mark it by tolerance and understanding and a sense of compassion. In that respect I do not believe that we are second to anyone. We stand first and foremost in that area.

In terms of the issue of values, I had occasion during the committee and I wanted very much to make personal notes from beginning to end. At the end of the committee, I added up the pages. There were 140 pages. I knew that the Clerk's office was providing us with summaries but I wanted to mark some of my impressions.

I reviewed those, and it is hard, if not impossible, to say that there was a single value; certainly there was not one which was unanimously held. But I think that there was a sense, in people who came before our committee, of accommodation. They recognized that there was some need to accommodate some of the wishes, the hopes and the aspirations of the province of Quebec, and they recognized that this had to happen if we were to remain a united country.

I for one was moved by that, because it is not an easy thing for one to come before committee to express and share. It is certainly a very noble type of value when one senses that that is the vast majority of opinion brought forward to this committee: of understanding we have heard, of tolerance, of pride in this country, how we stand with other countries, of pride in our past and certainly of hope for our future, recognizing that the challenges of our future, the challenges to a united Canada must come from a recognition that accommodation is necessary.

I think that in this report we certainly worked hard to try to convey that sense not only, in my opinion, to those within this province but to those outside the province, to send a message that, yes, we have a great deal of work to do; yes, we are going to be taking a look at a number of issues in a very focused way; yes, we are going to be taking a look at a number of implications and different models of a different form of Confederation.

But at this point and today certainly I feel it necessary to say that change is necessary, that there is a sense among people throughout this province that they are ready to go along that road to accommodate some of the required changes and to send that message not only to the people in this province of Ontario but indeed to others and especially to the province of Quebec.

I hope that those in the province of Quebec read well the report and take that message. There is much in this report to be read and to be digested, but to me the message is that change is necessary and we are certainly ready to embark on that course.

Where do we go from here? We have a number of areas which we are going to be looking at. We are going to be, as the report says, looking at the different configurations, the different economic implications, a whole variety of means. I am looking forward to that because I think that this will be valuable work.

I look forward to continuing to work in the same way with the members of the committee and with all members of the Legislature as we have on this issue in the past. We have worked hard together. We have wrestled with difficult issues together, and I trust that we will continue to do so as a committee together.

There is no question that the people of this province are looking to this province to lead the way. There is no question that they are looking to see what is the direction that the government of the province of Ontario is going to take. Is bilateral arrangement between Quebec and Ottawa something which is acceptable to the province of Ontario? Is it necessary that there should be total involvement by not only the federal government but by all provinces in the country in terms of the change that is so very necessary?



people are looking to get those questions answered, and others.

There are issues to be addressed, there are needs to be met, there are challenges to be addressed. I believe that we are going to, and must, work together to not only identify but to address those issues. We must continue to work together as best we can to make certain that this country, while recognizing the hopes, the dreams, the aspirations of the province of Quebec and others, and trying as best we can to address them, remains a united country, a country which for so many is an example for others to follow. We must preserve that and we recognize that the only way we can do that is if there is a fundamental change.

We are ready to embark on that course. The people of the province, through their submissions to our committee, have in large measure said: "We recognize accommodation is necessary. We are waiting to hear the type of change you are contemplating."

I note that my time in this debate is coming to a close and will end just as I began, by thanking all members of the committee and all those involved in the committee for making these past four weeks of travel and listening to so

many individuals an experience that I will never forget for the rest of my life.

#### VISITOR

**The Speaker:** Before recognizing the clock, I would like to recognize the former member for London South, Joan Smith, who is in our midst and welcome her to the gallery.

#### BUSINESS OF THE HOUSE

**Hon Miss Martel:** If I might give the House the details of the business for next week.

On Monday 25 March, Tuesday 26 March and Wednesday 27 March, we will continue with the consideration of the interim report of the select committee on Ontario in Confederation.

On Thursday 28 March, we will deal with the following, depending on our time: first, the debate on second reading of Bill 32, An Act to amend the Regional Municipality of Ottawa-Carleton Act and the Municipal Elections Act; second, debate on second reading of Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act; and, finally, committee of the whole, consideration of Bill 4.

The House adjourned at 1800.



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
<b>Akande, Hon Zanana L.</b>	St Andrew-St Patrick	NDP	Minister of Community and Social Services
<b>Allen, Hon Richard</b>	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
<b>Boyd, Hon Marion</b>	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
<b>Buchanan, Hon Elmer</b>	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
<b>Carter, Hon Jenny</b>	Peterborough	NDP	Minister of Energy
<b>Charlton, Hon Brian A.</b>	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economic Development
<b>Churley, Hon Marilyn</b>	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
<b>Cooke, Hon David S.</b>	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
<b>Coppen, Hon Shirley</b>	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
<b>Farnan, Hon Mike</b>	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
<b>Gigantes, Hon Evelyn</b>	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
<b>Grier, Hon Ruth A.</b>	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Ampton, Hon Howard</b>	Rainy River	NDP	Attorney General
<b>ansen, Ron</b>	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
<b>arnick, Charles</b>	Willowdale	PC	
<b>arrington, Margaret H.</b>	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
<b>eris, Michael D.</b>	Nipissing	PC	Leader of the Progressive Conservative Party
<b>Islam, Karen</b>	Perth	NDP	First Deputy Chair of the Committee of the Whole House
<b>eyes, Pat</b>	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
<b>Anderson, D. James</b>	Etobicoke-Humber	Lib	
<b>pe, Randy R.</b>	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
<b>iget, Bob</b>	Sarnia	NDP	Chair, standing committee on resources development
<b>ackson, Cameron</b>	Burlington South	PC	Chair, standing committee on estimates
<b>aison, Norman</b>	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
<b>nson, Paul R.</b>	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
<b>adan, Leo</b>	Lanark-Renfrew	PC	
<b>Kopp, Paul</b>	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
<b>Kmos, Peter</b>	Welland-Thorold	NDP	
<b>Kinter, Monte</b>	Wilson Heights	Lib	
<b>Lakin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laghren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
<b>asard, Wayne</b>	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>McKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
<b>McKinnon, Ellen</b>	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
<b>Mhoney, Steven W.</b>	Mississauga West	Lib	Chief whip
<b>Wlkowski, Gary</b>	York East	NDP	Parliamentary assistant to the Minister of Citizenship
<b>Mmmoliti, George</b>	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
<b>Mncini, Remo</b>	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
<b>Arland, Margaret</b>	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Mrtel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
<b>Mrtin, Tony</b>	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
<b>Mhyssen, Irene</b>	Middlesex	NDP	
<b>McClelland, Carman</b>	Brampton North	Lib	
<b>MGuinty, Dalton</b>	Ottawa South	Lib	
<b>MLean, Allan K.</b>	Simcoe East	PC	Vice-Chair, standing committee on government agencies
<b>MLeod, Lyn</b>	Fort William	Lib	
<b>Mlash, Frank</b>	Kenora	Lib	
<b>Mls, Gordon</b>	Durham East	NDP	Parliamentary assistant to the Solicitor General
<b>Mrin, Gilles E.</b>	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
<b>Mrow, Mark</b>	Wentworth East	NDP	Chair, standing committee on the Ombudsman Vice-Chair, standing committee on administration of justice
<b>M'doch, Bill</b>	Grey	PC	
<b>M'dock, Sharon</b>	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
<b>Nion, Robert F.</b>	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>Neth, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
<b>Philip, Hon Ed</b>	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
<b>Pilkey, Hon Allan</b>	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public account
<b>Pouliot, Hon Gilles</b>	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
<b>Rae, Hon Bob</b>	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
<b>Swarbrick, Hon Anne</b>	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
<b>Wark-Martyn, Hon Shelley</b>	Port Arthur	NDP	Minister of Revenue
<b>Warner, Hon David</b>	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
<b>Wildman, Hon Bud</b>	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Yamba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

## COMMITTEES OF THE LEGISLATIVE ASSEMBLY

### STANDING COMMITTEES

#### Administration of justice

Chair: Drummond White  
 Vice-chair: Mark Morrow  
 Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Fred Wilson, David Winninger  
 Clerk: Lisa Freedman

#### Estimates

Chair: Cameron Jackson  
 Vice-chair: Margaret Marland  
 Members: Gary Carr, Hans Daigeler, Ron Hansen, Karen Haslam, Wayne Lessard, Dalton McGuinty, Lyn McLeod, Anthony Perruzza, Margery Ward, Gary Wilson  
 Clerk: Franco Carrozza

#### Finance and economic affairs

Chair: Jim Wiseman  
 Vice-chair: Ron Hansen  
 Members: David Christopherson, Norman Jamison, Monte Krinter, Gerry Phillips, Norman W. Sterling, Chris Stockwell, Barbara Sullivan, Kimble Sutherland, Brad Ward, Margery Ward  
 Clerk: Todd Decker

#### General government

Chair: Remo Mancini  
 Vice-chair: Michael A. Brown  
 Members: Donald Abel, Gilles Bisson, Dennis Drainville, Noel Duignan, Margaret H. Harrington, George Mammoliti, El Murdoch, Yvonne O'Neill, Ian G. Scott, David Turnbull  
 Clerk: Deborah Deller

#### Government agencies

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 Vice-chair: Allan K. McLean  
 Members: James J. Bradley, Robert Frankford, Bernard Gaudmaitre, Karen Haslam, Pat Hayes, Dalton McGuinty, Tony Silipo, Chris Stockwell, Daniel Waters, Jim Wiseman  
 Clerk: Douglas Arnott

#### Legislative Assembly

Chair: Noel Duignan  
 Vice-chair: Ellen MacKinnon  
 Members: Mike Cooper, Robert Frankford, Margaret Marland, Irene Mathysen, Carman McClelland, Gilles E. Morin, Sharon Murdoch, Hugh P. O'Neil, Stephen Owens, Noble Villeneuve  
 Clerk: Douglas Arnott

#### ombudsman

Chair: Mark Morrow  
 Vice-chair: Drummond White  
 Members: Alvin Curling, Noel Duignan, Joan M. Fawcett, James Henderson, Bob Huget, George Mammoliti, Irene Mathysen, Bill Murdoch, Paul Wessinger, Elizabeth Witmer  
 Clerk: Franco Carrozza

#### Public accounts

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 Vice-chair: Dianne Poole  
 Members: James J. Bradley, Brian A. Charlton, Sean G. Conway, Mike Cooper, W. Donald Cousens, Pat Hayes, Paul R. Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson  
 Clerk: Tannis Manikel

#### Regulations and private bills

Chair: Kimble Sutherland  
 Vice-chair: Lawrence O'Connor  
 Members: Donald Abel, Will Ferguson, Derek Fletcher, Paul R. Johnson, Leo Jordan, Ellen MacKinnon, Frank Miclash, Tony Ruprecht, John Sola, Jim Wilson  
 Clerk: Todd Decker

#### Resources development

Chair: Bob Huget  
 Vice-chair: Daniel Waters  
 Members: Ted Arnott, Brian A. Charlton, Marilyn Churley, John C. Cleary, George Dadamo, Leo Jordan, Paul Klopp, Steven Offer, David Ramsay, Len Wood  
 Clerk: Harold Brown

#### Social development

Chair: Elinor Caplan  
 Vice-chair: Joseph Cordiano  
 Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer  
 Clerk: Lynn Mellor

### SELECT COMMITTEE

#### Ontario in Confederation

Chair: Tony Silipo  
 Vice Chair: Gilles Bisson  
 Members: Charles Beer, Marilyn Churley, Ernie Eves, Charles Harnick, Margaret Harrington, Gary Maldowski, Steven Offer, Yvonne O'Neill, Fred Wilson, David Winninger  
 Clerk: Tannis Manikel

### SPECIAL COMMITTEE

#### Parliamentary Precinct

Co-Chair: David Warner  
 Co-Chair: Noel Duignan  
 Members: Dianne Cunningham, Remo Mancini, Irene Mathysen  
 Clerk: Smirle Forsyth



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# Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Monday 25 March 1991

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

# Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Le lundi 25 mars 1991

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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### **Table des matières**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 25 March 1991

The House met at 1330.

Prayers.

## MEMBERS' STATEMENTS

### GARBAGE DISPOSAL

**Mr Chiarelli:** Today I will be introducing a bill which will give municipalities the power to enact bylaws to control the importation of garbage.

It was disclosed last November that Laidlaw Waste Systems Inc, owner of a landfill site in Ottawa-Carleton, had been transporting in excess of 100 tons per day of Toronto garbage to its site, in addition to unquantifiable volumes of contaminated soil. Ottawa-Carleton does not want Toronto's garbage. However, there are other municipalities with existing capacity which seek to import non-local garbage.

Unfortunately, the NDP government has put Ontario in a garbage straitjacket. They have no provincial policy and the hands of the municipalities are tied.

I strongly urge the government to prove that it is serious about the environment by endorsing this bill.

When will this government take the garbage straitjacket off Ontario's municipalities?

### OAKVILLE-TRAFALGAR MEMORIAL HOSPITAL

**Mr Carr:** Several years ago, the previous government promised Oakville-Trafalgar Memorial Hospital capital funding grants for expansion of both its acute and chronic care beds. Promises were made, plans were submitted, fund-raisers were held and revised programs were drawn up. Everything was finalized to ensure that a plan was in place to take care of the future health care needs of the people. Private industry and the local population worked extremely hard to raise their share of the necessary costs.

Everybody sat back to watch their hospital grow. They are still waiting. In fact, they are beginning to ask for their money back.

This government has not forwarded the necessary funding, and this is a prime example of discouraging private investment in health care services. The same situation exists in other parts of the province.

By 1995, Oakville will experience a nearly 20% increase in its population. The Oakville-Trafalgar hospital will by that time be seriously unable to handle this increase without an expansion of its facilities.

I urge the Minister of Health to have the structures in place to meet the needs of the people of Oakville South. Let's be proactive in planning for our growth instead of merely reacting to waiting lists when people are sick and unable to get the care they need.

### BILL HUMBLE

**Mr B. Ward:** It is with sadness that I rise to acknowledge the passing of a former labour leader in the city of Brantford, Bill Humble, in his 78th year. Mr Humble was

very involved in making Brantford a better place to live for working people.

He was past president of the Brantford firefighters association, past president of the Brantford and District Labour Council. He served on the executive of the Dunsdon Legion. Mr Humble was also a Second World War veteran.

Mr Humble's lasting legacy to the city of Brantford and the citizens is our civic centre. Mr Humble and his leadership spearheaded in the early 1960s a community fund-raising effort that raised the capital necessary to build our civic centre.

Too often local labour leaders are forgotten by their communities. I am pleased today to announce that on the 24th anniversary of the opening of our civic centre, the labour council will be proposing to our city council that Mr Humble's portrait and a plaque be installed in the centre itself. This action will ensure that the memory of Bill Humble and his contribution to the citizens of Brantford will not be forgotten.

### UNEMPLOYMENT

**Mr Cleary:** I rise today to urge the government of Ontario to take immediate action to deal with the rising unemployment in eastern Ontario caused by cross-border shopping. The retailers in my riding are not afraid of fair competition, but they need help from the provincial government to level the playing field so that they can compete on a fair basis with American business.

One of the main problems facing the retailers in eastern Ontario is the high cost of gasoline. Cheap gasoline on the US side of the border is a prime example of shoppers going from my riding, and the price difference between Cornwall and the US is higher than it should be. Gas prices in the east fluctuate between 6 cents and 12 cents a litre higher than in central Ontario.

I notice this morning that the people of Toronto are complaining because a recent gasoline price war has ended and the price is up to 55 cents a litre. Well, many motorists in Cornwall are not complaining, because they are paying \$1.08 in the US. I sure urge the Treasurer to take note of this.

The NDP has made a commitment to equalize gasoline prices in the north and south. Not only has the current government failed to follow through with this commitment but, as usual, it has forgotten about eastern Ontario.

The loss of jobs in service stations is just the tip of the iceberg. It also means store closings and job losses among retailers. I urge the government to launch an investigation into gasoline prices in eastern Ontario.

### EDUCATION FUNDING

**Mrs Cunningham:** I find it interesting that during the community college strike two years ago various members of this government made numerous statements in support of the students affected by the strike.



In fact, on 18 October 1989, Richard Johnston said: "The minister well knows that the reason that we are having a strike at the moment is not the particular matters that are on the table, but this is a system which is feeling very much under siege. It is the minister's funding which is making it impossible for the two sides to come together on this matter."

On 26 October 1989 he said, "There is a real need for the government itself to involve itself...so that this strike can be ended as quickly as possible and the lives of these students will not be unnecessarily jeopardized."

Now we have another strike facing post-secondary students in Ontario, yet the minister has been strangely silent on the issue. Students at Trent University have now been out of school for more than three weeks. Both sides attempted to resolve the situation this past weekend, but it appears now that there is no resolution in sight. If a solution is not found this week, the students at Trent University will lose their academic year.

Two years ago the solution was readily apparent to the New Democratic Party, yet today we have had no commitment to examine the underfunding of our post-secondary institutions by the minister. It leads me to believe that that was then and this is now.

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#### ANNIVERSARIES AND TRIBUTES

**Mr Malkowski:** Today, I would like to recognize the 170th anniversary of the independence of Greece on 25 March 1821. It is important to recognize the birthplace of democracy and the principles cherished there and the long-standing challenges and the hard-won fights once lost and now regained. We wish to recognize the many important contributions of the Greek community in Canada and especially to the province of Ontario.

Another important date of 24 March 1890 is the birthday of Agnes Macphail. We had the pleasure yesterday of hosting a brunch as the first annual Agnes Macphail commemorative brunch in York East, and I wish to acknowledge that date. It is important, as we look back, that Agnes was the first female elected to the House of Commons and was also the first woman in the Ontario Legislature, from York East from 1943 to 1945 and again from 1948 to 1951. I am very proud to carry on the tradition of equality, social justice and economic justice and democracy.

I also wish to recognize the contributions of Vi Thompson and Kay Macpherson for the contributions that they have made to feminism, to social justice, not only for the people of York East but also for all of Canada and all of Ontario.

#### CAT SCANNER

**Mr Bradley:** I would like to draw to the attention of the House, and particularly the Minister of Health, the very great need for a computerized axial tomography scanning machine in the Niagara region. As members of the House may know, at the present time there is one machine which exists at the St Catharines General Hospital and that machine is taxed to a very great extent by the usage by those in the medical profession who want to ensure that their

residents and those who are in need of this service are indeed receiving it.

The Niagara District Health Council has made representations to the provincial government. I had directed a letter to the Ministry of Health last summer to indicate this great need.

The health council would indicate as well that the cost is somewhere between \$500,000 and \$1 million. We have had experience in St Catharines previously in raising the capital funds necessary. Archie Katzman headed up a campaign a few years ago which was very successful, which received a lot of public support—of course, what was required at the time, that indeed there be an approval given by the Ministry of Health.

At the present time we recognize that the CAT scanner is an essential tool in dealing with the diagnosis of emergency situations and of potential diseases that can exist. There are a number of hospitals in the Niagara region which have indicated a willingness to be the host of this particular machine, including the Hotel Dieu Hospital in St Catharines and hospitals in Welland and Niagara Falls.

#### LEGISLATIVE ACADEMY AWARDS

**Mr Stockwell:** It is Oscar time in Hollywood and also here at Queen's Park. While we do not have any nominees for any lead roles, since no one in government has shown any leadership, we do have a few prizes to award.

To the Premier, for his inaction on the York land development issue, a best supporting Oscar for The Silence of the Scams.

To the member for Welland-Thorold, a special award for his powerful performance in Guilty by Suspicion.

For the way in which he cut off the Red Hill Creek Expressway, an Oscar to Edward "Scissorhands" Philip.

On behalf of the mayoralty candidate Jack Layton who could not be with us today, a best supporting actress award to the member for St Andrew-St Patrick for her bid to help make New Jack City.

To the Minister of Natural Resources, an award for his work on Dances with Moose.

To Ontario's own housewrecker, the Minister of Housing, an award for his performance in Home Alone.

A very special award to our friend in the official opposition, the member for Timiskaming, for his continuing role in Sleeping with the Enemy.

To the member for Oakwood, a special mention for his role in Ghost.

To most of the NDP cabinet, an Oscar for their performance in Postcards from the Edge—of Obscurity.

To supporters of the NDP government for their part in their Hunt for Red October, November, December, January, and so forth.

To the Treasurer, Sleepy Floyd, who watched a \$30-million surplus turn into a \$3-billion deficit, a best director Oscar for Reversal of Fortune.

#### MARINE ACCIDENT

**Mr Jamison:** I rise today to recognize the tragic loss which has befallen the Lake Erie fishing community of Port Dover. On Monday of this past week, 18 March, the



...t wler Captain K was returning from a day's fishing on ...ing Point Bay when it was struck by the Canadian Coast ...ard vessel the Griffon in heavy fog and sank. Local ...hermen joined in an immediate search effort with crews ...m Transport Canada, National Defence and the US ...ast Guard. However, today there is very little hope for ...urvivors. Lost and feared drowned are Captain Gary ...eight and his two crew members, Dean Falker and John ...alsh. An investigation into the events of the collision is ...ing conducted by the Transport Canada safety board.

These men were part of the largest fresh water fishing ...et in the world, which sails on Lake Erie, and Long ...int Bay itself is one of the busiest shipping lanes on that ...e.

As a fishing community, the people of Port Dover live ...th these realities every day. They understand that fishing ...a lifestyle like no other. It offers unique challenges and ...wards, yet as we were reminded a week ago today, it ...lds its own dangers. We recall with sadness that in 1984, ...t eight kilometres from where the Captain K sank on ...nday, two local fishermen were lost when their boat, ... Stanley Clipper, capsized in a storm. This is not to say ...t as individuals we can ever be fully prepared for the ...ents such as the loss of the Captain K and its crew under ...ch tragic circumstances.

I wish to take this opportunity to express to the friends ...ad family of the crew of the Captain K my own deepest ...mpathy. I know these men will be greatly missed and I ...n with the whole community of Port Dover in grieving ...eir loss.

#### STATEMENT BY THE MINISTRY

##### CANADIAN BROADCASTING CORP CUTBACKS COUPURES BUDGÉTAIRES À RADIO-CANADA

**Hon Mr Marchese:** I would like to inform the House ...at this government submitted on 28 February a formal ...resentation to the CRTC on CBC cutbacks. Today I will ...tablishing this government's position on the CBC service ...ductions announced last December under the guise of ...structuring and expenditure reductions, as submitted to ...e CRTC.

As minister responsible for both Culture and Commu- ...ications in the province of Ontario, I shall begin by stat- ...ing that the CBC cutbacks are an attack on both culture ...ad communications at a local, regional and national level.

Canada is a federal state. As such, it requires a national ...roadcasting service that both informs and links the vari- ...cs regions and diverse cultures that make up this country. ...Canada needs this service not only so that we can commu- ...nate with each other, but so that we can define ourselves ...the world.

Le mandat de Radio-Canada découle directement des ...bjectifs établis dans la Loi sur la radiodiffusion. La déter- ...nation tant du mandat de Radio-Canada que des crédits ...budgétaires qui lui sont accordés est la prérogative du gou- ...vernement du Canada. Par conséquent, il importe que le ...gouvernement fédéral finance le mandat qu'il s'est donné, ...c'il ne néglige pas ses responsabilités ou qu'il ne les ...t transmette pas à d'autres.

There are three issues that affect the people of this province that are of fundamental importance to us: democ- ...racy, cultural expression and cultural sovereignty.

In order to approach the issue of democracy at the basic level, I think it would be useful for us to think about the principles and values which are necessary to give meaning to the right to seek, receive and impart informa- ...tion, as it is written in article 19 of the Universal Declara- ...tion of Human Rights.

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Without public consultations, the CBC's board of di- ...rectors decided to close some of the public's local televi- ...sion stations across Canada. A national broadcasting system without local and regional partners is profoundly undemocratic in that it denies the people of this country the opportunity to participate. We are returning to a cen- ...tralized Toronto/Montreal-dominated communications pat- ...tern that does not reflect the interest, expressions and cultures of the rest of the country.

In a democratic society, the ability to participate in the public broadcasting system should be a right, not the ex- ...ception. We need to increase the diversity of sources of information in Canada and we need to expand the produc- ...tion base of different kinds of programming. In short, we need to recognize the universally public character of com- ...munications in democratic public life in the same way in which we recognize this character in the fields of health and education. A public broadcasting service is a service for the public, not for those in the CBC who manage and control it, nor for those in the federal government who would like to destroy it.

Si nous avons à coeur l'épanouissement de notre socié- ...té, nous devons avoir un concept des valeurs, des percep- ...tions et des visions de notre population afin de mieux nous connaître et de mieux nous comprendre mutuellement. Nous devons exprimer et diffuser nos cultures diverses de sorte que nous puissions apprendre et partager notre diver- ...sité. Nous avons tous besoin de réfléchir également sur notre propre culture.

In Ontario, the CBC has denied access to the public broadcasting system to Franco-Ontarians by closing down CBLFT. At a time in the history of this country where the voice of francophones outside of Quebec is of the greatest importance, the CBC has silenced one of the few means for them to speak to one another about issues of critical importance. Equally important, it has silenced their capac- ...ity to speak through the network to the Radio-Canada tele- ...vision audience in Quebec, an audience that badly needs to hear what francophones outside the province have to say.

In effect, the corporation is furthering the assimilation of francophones in Ontario into the predominant anglo- ...phone cultures and isolating Quebec from the rest of the country. This, from the national corporation that is charged with the responsibility of contributing to a shared national consciousness, is totally counterproductive in the view of the government of Ontario. For almost 400 years franco- ...phones have lived and made valuable contributions to every facet of life in Ontario. They must not be denied the right to cultural expression.



Issues of cultural sovereignty are familiar to most Canadians because of our proximity to the United States. The constant deluge of US books, magazines, feature films and TV news, sports and drama has made us aware of the importance of protecting and nurturing our cultural identity.

In Windsor the CBC has closed the only Canadian TV station, leaving Windsor and area residents to the Detroit broadcasters for local news. When the free trade agreement was announced, the country was promised that our cultural sovereignty was not at risk, that our cultural institutions and industries would not be threatened. While many of us decried the free trade agreement as a major step towards Canada's economic integration with the United States, we also feared the social and cultural integration that could follow.

The role of TV as a means of cultural expression and identity cannot be underestimated; it has become a major form of communication. To hand a large chunk of south-western Ontario to the producers and advertisers of the US TV industry is an act of wilful neglect and incomprehensible stupidity.

The government of Ontario is not willing to see parts of the province delivered solely into the hands of foreign broadcasters. We need the federal government to make the commitment to renew and enhance public broadcasting, particularly at this time when it is of undeniable importance to every Canadian.

The government of Ontario has made its representation to the CRTC, along with many other governments, organizations and individuals. The responsibility for the current crisis lies directly with the federal government, for it must fund what it has mandated.

## RESPONSES

### CANADIAN BROADCASTING CORP CUTBACKS

**Mr Henderson:** This very pusillanimous motherhood statement masquerading as a ministerial statement seems to me to bring the processes of this Legislative Assembly to a new low.

This statement is notable for what it does not contain. We knew six months ago something about what this government was promising to do in the area of culture and communications. We know less and less with each succeeding month, and we know less still now.

Let me quote to the minister some of what his party and his government promised in the area of culture and communications six months ago. They promised: "We would promote the utilization of artistic resources throughout the entire range of government services. New Democrats would increase government support to culture and the arts to at least the rate of inflation on a year-over-year basis. New Democrats would move to ensure income security for artists. New Democrats would ensure a method of payment for public use of art. New Democrats would exempt artists' materials and their work from the provincial sales tax." It will be interesting to see how that one works out. "New Democrats support funding for artists' co-operatives for the practice, production, performance, exhibition and sale of their work. New Democrats are committed to funding the development of local venues to support both

local and touring artists. New Democrats would ensure that the arts become integral to Ontario's education system."

From those promises, one rather came to expect a network of drive-through art and culture centres scattered about the province of Ontario. What has the government in fact done? At a time when a \$540-million Ontario film industry is waiting for an answer from this government—about 1,000 or so jobs and the continuity of those jobs—the government has cancelled funding for the Ballet Opera House Corp and, oh yes, incidentally reminds us about the mandate of the CBC and disagrees with the cutbacks.

There have been no significant ministerial statements since this government came back to this Legislative Assembly. The moose tag legislation is looking bigger and bigger with every succeeding day. To say that this ministerial statement is too little, too late, would be flattery. It is in fact nothing too late.

**Mrs Marland:** I thought we were actually dealing with ministerial statements. This, however, is simply ministerial posturing. I think we have to be very concerned about this position by this minister.

I would have expected this minister to make some specific program initiative announcements, which is what is usually done during ministerial statements. I am certainly disappointed, because there are all kinds of things waiting for action by this minister; the Ontario Heritage Act might be a good example. Certainly we have been expecting an announcement now for the last month to save the Ontario film investment program, which is just that: It is an investment into the economy and jobs in this province. This is what this minister seems to be sitting back and lacking; he lacks a total understanding of what we are dealing with.

This is no new announcement. In fact, it is simply an attack on the federal government. Is that not particularly interesting when you look at the position of the Premier of this province at the moment who says he wants to exercise restraint, he does not want to spend money? We certainly agree with that. But how interesting: When the federal government takes the same position as the Premier of this province, one of his ministers turns around and argues against the position of the federal government.

I think it is really quite revealing that we have a position here where the federal government is using restraint, is using judgement, albeit some of the areas of its decisions we do not necessarily agree with. But is it not ironic that the government turns around and criticizes it when its own Premier is saying he has to use restraint; that is why he cannot keep his Agenda for People promises? Frankly, I think this has been purely a political stump speech.

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When the minister looks at his own responsibilities with TVOntario, I have to ask, are we going to see the native outreach programs and perhaps the drug program scrapped in order to honour the collective agreement, which has to be made with the people who are employed within TVO? The member for Etobicoke West is very concerned that Polka-Roo may not even be able to sleep well tonight, based on the minister's statement today.



We are very concerned about this kind of statement coming from a minister who chooses not to act in the best interests of art and the film industry in the province today which are crying out for help. They are crying out for an investment of \$10 million or \$15 million which in turn brings back a return—that is factually accurate—of in excess of \$90 million.

We simply ask this minister: Is it his intention that we have something like the Ontario film investment program in this province die because they do not want to make the investment to keep it going, not recognizing the tremendous return which is dollar for dollar a worthwhile program that should be kept?

**Mr Villeneuve:** I find it very sad to hear the minister forgetting that he is in government and indeed acting very much like someone in the opposition. That is exactly the rhetoric that we used to hear from these people when they were on this side. They had all of the answers and they found fault with everyone. Well, they happen to be in government now. The sanctimonious, pompous statement that was just made that had nothing in it positive really is not worthy of having been said in this House.

I belong to the group called Friends of TVO and I can tell you, Mr Speaker, there is a group—

**The Speaker:** Stop the clock, please. Could we have the banner removed, Sergeant? Remove the banner, please.

The clock was at 50 seconds. Would you continue?

**Mr Villeneuve:** There is probably more in that banner than the whole statement by the minister anyway.

The Cornwall area has been pleading for a low-power transmitter for TVO for several years. There is a whole area of southeastern Ontario that does not receive the TVOntario signal. I have petitions and I will be bringing them to this House, asking for a low-level transmitter to cover the Cornwall-Long Sault-Ingleside area that right now does not receive TVO. I find it sad that the minister takes the time of this House to attack the CBC and the federal government when he has a lot to do right in his own neighbourhood and his own backyard.

#### MINISTERIAL STATEMENTS

**Mr Eves:** On a point of order, Mr Speaker: I would ask you, as Speaker, to look into whether or not the ministerial statement today complies with standing order 31(a), which reads as follows: "A minister of the crown may make a short factual statement relating to government policy,"—meaning provincial government policy—"ministry action or other similar matters of which the House should be informed." I would ask you to carefully consider the minister's statement—I do not expect a reply today, Mr Speaker—and come back to the House and inform us whether in fact this does comply with standing order 31(a).

**The Speaker:** I appreciate the point of order which you have raised and I will consider it and I will report back to you later.

#### ORAL QUESTIONS

##### UNEMPLOYMENT

**Mr Nixon:** I have a question of the Minister of Labour, if I may. The minister will be aware that since he has been appointed he has presided over the worst job creation in Canada, comparing all of the provinces on a per capita basis. Since the NDP took office an average of 1,600 jobs a day have been eliminated. Bearing in mind the Treasurer's commitment in this regard and the minister's vociferous views expressed over many years in opposition, while we are not calling for an apology from him, can he explain the total ineffectiveness of his initiatives in this regard so far?

**Hon Mr Mackenzie:** I think the Leader of the Opposition will know that Ontario is the manufacturing heartland of this country of ours and that Ontario is the area that has been hardest hit as a result not only of the free trade agreement but also the high dollar and the high interest rates.

I think that we have taken some actions. The Treasurer has moved to put \$700 million in the capital works fund as a useful attempt to try and deal with that specific problem. I can also tell the member that, in our announcements on the labour adjustment fund just a few weeks ago, we set up an office of the labour adviser in the province of Ontario. That office alone has already, just since the announcement, set up committees in 29 plants to help the workers in those plants, which makes a total of 77 working labour adjustment committees we now have in place in the province of Ontario. We are in the process and will be shortly bringing in additional safety-net legislation in terms of the wage protection fund.

In terms of the actual job creation, that is a much broader issue, and I am not sure it is totally the responsibility of the Minister of Labour.

**Mr Nixon:** I quote from the NDP Agenda for People, its commitments made before the election:

"The recession is here. We want to provide relief for those who need it most, protecting people's investment in their farms, their small businesses and their jobs. We propose adjustment and training measures to protect jobs today and in the future, all of those concepts that are universally supported and in fact were supported by just under 38% of the electorate."

Since that commitment was so clearly made and accepts the concept that the recession is here, would the minister not feel a matter of concern, statistical or otherwise, when he would think that during the one hour of this question period 200 more jobs will be lost statistically as Ontario continues to suffer at the hands of whatever is causing the recession? Would the minister not agree that he simply cannot say that this is a matter that is too big for Ontario or too big for this province or too big for this \$45-billion provincial budget, and accept some of the responsibility that he was so quick to bring to the attention of those of us who had the responsibility of government when in fact the province was growing and not receding?

**Hon Mr Mackenzie:** I think the Leader of the Opposition will also understand that it is a little easier when the



province is growing than it is when we have got the kind of a situation that his government left us in the province of Ontario. I think the very fact that we have put \$32.5 million of new money into the retraining programs, into the labour adjustment programs, that we have added money to the transition fund, that we will be very shortly down with additional protection for workers in these situations, is a clear indication that we are trying to respond to the issues that we are facing in the province of Ontario.

**Mr Nixon:** The Treasurer and the Premier, in response to similar questions, have said we have the largest and most effective job creation program in Canada. You would be aware, Mr Speaker, that the province of Quebec, for example, has committed \$1.5 billion to money that is already flowing and is not waiting for the next fiscal year. Would the honourable minister not recall the following quote that came from him on 29 November 1988 when he said, "Action on additional worker protection, plant closing justifications, additional severance, workers' benefit and pension protection and retraining and occupational adjustment programs cannot wait or be fluffed off to the feds"

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I simply put that to you, Mr Speaker, because you would know that the honourable Minister of Labour has all of the labour bosses, all the presidents of the unions, eating out of his hand. As a matter of fact, I think they have breakfast and lunch in his office, when they are not eating in the cabinet room. Under these circumstances, why cannot this minister, who was most vociferous in bringing forward his proposals and private member's legislation, get off the dime at least in small measure and bring forward some announcements, perhaps some legislation which is going to accomplish the aims that he put forward so strongly when he was a member of the opposition for all those years and which were echoed by the agenda of his own political party before it took office?

**Hon Mr Mackenzie:** I think the Leader of the Opposition should know that I agree with him: that we cannot fob it off totally on the federal government. I think he should also know, however, that I am proud to sit down with the labour leaders in the province and try to discuss the issue with them and I do it on a regular basis.

I think he should also be aware that I have sat down with as many business leaders as I have with labour leaders over the last two or three months in my office and in my boardroom as well. I think he should also know that the province of Quebec has spent its money over a much longer period of time than has the province of Ontario.

In addition to that, I want to tell the Leader of the Opposition that he, I think, will be quite pleased. I am gathering from what he says that we will not find opposition to the very measures he is talking about that we will be coming forward with very quickly.

**Mr Nixon:** The honourable minister has been shaking his sabre for six months and we will look forward to some action, other than some sort of a footling attack on the CBC and moose tags.

## SOCIAL ASSISTANCE

**Mr Nixon:** I have a question for the honourable Minister of Community and Social Services and it is relating to this same thing, because surely we would all agree that the approach to the expenditure announcements from the Treasurer and the action that the Minister of Labour might have taken, and he says will take some time in the future, are supposed to be reflected in the responsibilities that the Minister of Community and Social Services bears directly, that is, serving those people who are unemployed and have run out of unemployment insurance benefits and who are swelling—those people who have had to apply and many of whom are receiving the welfare benefits that she administers or assists the municipalities in administering.

Can the minister indicate how closely she is working with the Minister of Labour in seeing that the commitments of dollars that have been repeatedly announced by the Treasurer and his colleagues are going to have some effect in reducing those who are running out of unemployment insurance and in fact are presently in receipt of welfare assistance through a variety of programs?

**Hon Mrs Akande:** In actual fact, we have moved quite a distance along in getting people back to work and addressing the needs of those who have moved very quickly from the unemployment insurance rolls to social assistance. We have been assisting in making sure that the municipal and the provincial are actually working not only in getting them back to work, but also in supporting them in their needs in terms of child care, in terms of services for the disabled, to address their particular needs, and in terms of providing those additional costs which in fact support their being back in the workplace.

**Mr Nixon:** Perhaps this would clarify the question a bit, but I am asking the minister to indicate to the House what the linkage between her responsibilities and those of the Treasurer and the Minister of Labour is in that the resources, the scarce resources of the government of Ontario, are directed into those communities which are suffering the most from unemployment and the concomitant increase in the welfare rolls.

**Hon Mrs Akande:** I have said and I will say again that I am working closely with all my cabinet members, including the Minister of Labour and the Treasurer, in seeing that the direction of those back-to-work programs does serve the needs of many who are on social assistance rolls or who would be on social assistance rolls if those programs were not implemented.

**Mr Nixon:** The only information we have on these matters is that which we are able to gather and hear from the various statements and from the media, from statements made by a number of ministers. For example, the welfare case load growth in Dufferin county has been 120% year over year and yet the allocation from the Treasurer's \$500 million, which is the announced amount, has been zero. The Elgin county welfare case load has grown by 104% according to the statistics that are publicly available and yet the allocation, as nearly as we can determine, from the \$500 million that has been announced of



\$700 million that has been promised of the \$1 billion that the Premier refers to has been less than 1%.

In Hamilton-Wentworth, the welfare case load has grown not by this 100% plus, but by 56.7%, a significant increase for that municipality, and yet the commitment even in that important area, well represented by people who have seen labour leaders eating out of their hands, etc, is about 1%. It is difficult for us to see a relationship between the responsibility that the Minister of Community and Social Services has and the \$1 billion that the Premier is referring to that is going to be spent in anti-recessionary measures.

I wonder if she could clarify that matter and give us some additional information that would verify her statement that there is a relationship, however obscure that appears.

**Hon Mrs Akande:** In actual fact we are addressing the needs of people in the communities to which the member refers. I have not the actual numbers of those who have been served, but certainly there is a direct attempt, through the Minister of Labour and through the Treasurer and through all of us, in fact, to make sure that those needs are met and that those people are absorbed within the back-to-work program and that they receive the assistance that is required in order to enable them to take advantage of those particular opportunities.

#### WOMEN IN FILM

**Mr Runciman:** My question is for the new Minister of Consumer and Commercial Relations, and I want to wish her well in her new responsibilities, with some reservations, of course.

My question relates to something I am sure she is familiar with and that is the decision recently announced by the Ontario Film Review Board with respect to its refusal to restrict the distribution of triple X videos, videos that contain explicit sex. I am wondering if the minister can explain to us her views with respect to this matter, whether she considers this kind of material pornographic or art, and if she considers it pornographic, what does she intend to do about the film board's decision?

**Hon Ms Churley:** I unfortunately will not be able to answer the member's question directly today. To nobody's surprise, I am aware of the situation that the member has asked the question on and I am not going to give my opinion today and I am not going to answer my question today. I spent the day being briefed on the Liquor Control Board of Ontario, etc. I have yet to meet with the film board. I will be doing that shortly and I hesitate to answer this particular subject until I have met with the film board, but I would be very glad to answer the member's question very soon.

**Mr Runciman:** Perhaps the minister would like to refer that to the member for Welland-Thorold. I am sure she would get an answer. I find that surprising. Obviously the new minister has been subjected to a crash course from the Premier's office on how to refuse to answer a question in this Legislature. It is strange that she has no opinion when we have the former minister turfed from cabinet for appearing fully clothed as a Sunshine Boy in the Toronto Sun. This minister was close to tears, Metro council, when she had a motion to ban bikini contests in Toronto, and she

said, quote: "It sends out the wrong message to women. You can get by on how you look, how big your breasts are." Well, what she is saying apparently is, "Bikini contests, no; explicit sex, yes," or at least, "I do not have an opinion." I ask the minister, what has changed? Why does she not have an opinion on this today? Let's see some action.

1420

**Hon Ms Churley:** The member will see some action in the very short future on this. I certainly do have opinions on certain issues and members will be hearing about them shortly. I believe, as I think we all do, that there is a difference between sexuality and sensuality and the exploitation of women's bodies as sexual objects, and that is the area I will be looking at. It is a very sensitive area. I will be talking to the film board about this area, but as I said, I will get back to the member and answer the question more specifically in the near future.

**Mr Jackson:** This issue has been of quite a bit of concern in the last few years and it has been raised in this House. On 27 February 1989, I raised the question in the House with the then government and I tabled order paper questions about the link between pornography and violence against women. The government gave the exact same answer the minister did, that it was unaware or it did not want to make a public statement.

In the order paper question based on some of the research data we shared with the government, the government of that day clearly stated that there is a link between pornography and violence against women. We are asking the minister a simple question because the imperative is there. We have a company that has just opened up in this province. It has opened 20 triple X adult video stores. Two of them have opened up in the community of Burlington. One of the conditions is that people have to come in the front door and they have to sign a letter which says that they personally support the freedom of an Ontario adult to rent or purchase adult videos. It goes on to say that they have the support of the Ontario Film Review Board. The minister can answer this House today because I have heard her comment on this in the past. Does she believe that there is a link between pornography and violence against women? If she agrees, what is she doing about these video stores that are opening up in my community and communities all across this province?

**Hon Ms Churley:** It is a very important question and a very important statement today, one which, as the member knows, I take very seriously. I do believe that there is a link between pornography and violence against women. There is no doubt that I believe that. I believe that everybody in this House knows that.

Regarding the question as to what I, as the new minister, am going to do about this particular problem, I must say at this point I do not know enough about the issue to be able to answer today. I want to be able to give a clear and concise answer about where I am going to take it. I do not want to give any information today that tomorrow, after talking to the film board and other interested parties in this issue, I will have to turn around and redefine. It is a



very important question and I take it very seriously, as does my government. I will be getting to this very soon. It is a personal priority of mine, as the Speaker knows and the House knows, and I will be looking into it very, very quickly.

#### VISITOR

**The Speaker:** I appreciate the numerous notes I have received, and members may wish to welcome at this time in our midst a former member of the House, a long-standing member for the riding of St George, Margaret Campbell.

#### AUTOMOBILE INSURANCE

**Mr Runciman:** My question is for the other new minister, the Minister of Financial Institutions, and it deals with automobile insurance. Last week, it was suggested in the Toronto Star, and I am not sure if this government is as close to the Toronto Star as the former government was, but in any event, the Star suggested that the minister or the government plans to introduce an auto insurance plan similar to that of Quebec. There will be a meat chart to determine how much compensation is given to accident victims. In November 1988 the Premier and then opposition leader told the House how he strongly opposed the use of a meat chart in determining workers' compensation benefits. The Premier told the House, "The idea is not acceptable that a bureaucracy would have the power unilaterally to say: 'This is how much you are going to get. This is what your finger is worth. That is what you are going to get and you have no right of appeal.'"

Clearly, the Premier opposes meat chart justice. Therefore, will the minister assure the House that his auto insurance bill will not be a meat chart plan similar to that of Quebec?

**Hon Mr Charlton:** The member for Leeds-Grenville is well aware that the government is in the midst of developing its legislation on auto insurance, which we hope to introduce this spring. I am not aware that the government has made a decision, and therefore the story in the Star last week is obviously incorrect in terms of precisely what this government will introduce in terms of legislation some time before the end of June.

I can assure the member for Leeds-Grenville, however, that it is our intention to deal in a very full and thorough way with creating a public auto plan in this province that is both fair and that deals with the issues that have been debated here in this House.

**Mr Runciman:** The minister used twice as many words as the other new minister to say he does not have an answer or he does not know. I want to say that the minister is on the record just last December, just a few short months ago, as voting in favour of the right to sue for innocent accident victims with my legislation. He probably very much regrets that 60 seconds he took in the House that day. In any event, he is on the record. He told us he was voting for the restoration of the right to sue because it deals with the most offensive part of Bill 68, the threshold.

Given the minister's stated policy, will he assure the House that he will restore the right to sue for innocent accident victims, a position he took a few months ago?

**Hon Mr Charlton:** Let me first of all say very clearly that I in no way regret the short time that I spent on my feet during the debate on the bill of the member for Leeds-Grenville last December.

Second, the question that the member has raised is a question which does not deal with the problem. The question of tort is a solution, not a problem. Innocent victims are what have to be dealt with. This government is pursuing a whole range of options to deal with not just one issue, that we found at fault in the Liberal auto insurance legislation, but closer to 100. We will be introducing legislation this spring that will deal with, hopefully, all 100 of the major problems we found with that legislation.

**Mr Runciman:** That is a very disturbing response.

Interjections.

**The Speaker:** The question posed by the member for Leeds-Grenville has certainly brought about a great deal of interest from even his own colleagues; and I think, to his own colleagues, he would like to place another supplementary.

**Mr Runciman:** I was wondering about that myself, Mr Speaker. I want to say, though, that that response is very disturbing, given what I and the member for Welland-Thorold went through last year. We went through months of very moving testimony, probably the most moving testimony that I have heard in my years as a legislator—witness after witness testifying about concerns about innocent accident victims in this province, people who had no vested interest, someone like Jeremy Rempel, who appeared before us in a wheelchair and seriously injured. He had nothing to gain but he was very much concerned about the Liberal legislation and about innocent accident victims in the future in this province.

Now we have this minister standing up and his colleagues and the Premier abandoning a principle they fought for in this House, filibustered in this House, ran an election on. Now they do not have the guts to stand up in this House and say, "We still support that basic principle." I am asking the minister simply to repeat what he said in December, "Yes, I support the right to sue for innocent accident victims." Let him say it right now.

**Hon Mr Charlton:** We share the views of the member for Leeds-Grenville regarding innocent accident victims and we intend to remedy the problems of innocent accident victims in the legislation we set out. It is unfortunate that the member for Leeds-Grenville, although he was in the cabinet for a very short time in the spring of 1985, seems to forget that governments do not stand up in this House and announce their legislation to the questions of opposition members.

1430

#### CONFLICT OF INTEREST

**Mrs Caplan:** I have a question today for the Minister of Municipal Affairs regarding the minister's refusal to act expeditiously on the issue of municipal conflict of interest in time for this fall's municipal elections.

Last spring, almost one year ago, the Liberal government announced its intention to legislate comprehensive reform to municipal conflict-of-interest legislation by the



91 municipal elections. An article in this morning's Globe and Mail about the sale of Fairbank Memorial Park, which the minister also refused to take action on, questioning very seriously some of the proprieties of members of that council, speaks to the urgency of this matter. An 18 January news release announcing the introduction of new municipal conflict-of-interest legislation next fall quotes the minister as saying, "Municipal politicians have a right to know exactly what is expected of them and the people have a right to expect a high standard of behaviour from their representatives."

However, under the NDP's timetable for completing the new bill, municipal politicians will not know what is expected of them and the public will not know what standards to judge candidates by until after November's municipal elections. Will the minister explain today why he is not introducing his new legislation before the end of June so that it can be fully discussed and be in place for the November fall municipal elections?

**Hon Mr Cooke:** The member will be aware that under her minister, Mr Sweeney, a committee was to be established to review a report on conflict of interest at the municipal level. He never proceeded with the committee, so we have proceeded with that committee. We have put a time limit on that committee to report back to me by the end of July so that we can proceed as quickly as possible this fall with new conflict-of-interest legislation.

But I can say to the member that whether it is under the existing conflict-of-interest legislation or whether it is under new conflict-of-interest legislation, I do not believe that any of the activities in the city of York that have been reported in today's paper would be acceptable under any circumstances, so the new conflict-of-interest legislation is not nearly as important as addressing some of the concerns that exist in that city and all of us in all three parties are indicating that that type of behaviour as reported in the paper today is completely unacceptable to all of us.

**Mrs Caplan:** My question to the minister is, what in fact is he doing about it? So far he has done nothing, and in fact his news release of 18 January stated that most of the committee members were appointed last summer to begin that consultation. That is in his own news release.

He stood in the House last fall, almost six months ago, and stated that he had a number of concerns about the actions of city of York council and the sale of Fairbank Park. He said he was concerned about the loss of park land, he was concerned about the way the council had sold the land, he was concerned about the lack of public consultation on the sale of that park land, he was concerned about the refusal of the city of York to acknowledge even that it had a problem, but he refused then to take any action and to this point he has taken no action.

Last spring, the Liberal government introduced Bill 12, regulating the disposal of municipal assets and requiring open municipal meetings. This legislation would have prevented any future secret deals, such as the Fairbank Park sale, from occurring and ensured that all council meetings were open and accountable to the public, as well

as ensuring that any land sales went through a fair and open tendering process.

I agree with him that there have been very serious allegations that the standard of behaviour is unacceptable, that the level of cynicism in our society and the concern about members of public office must be addressed and must be addressed quickly. This minister has done nothing, and I would ask him why, after six months in office, he has not at least tabled the legislation, Bill 152, so that it can be in place before the municipal elections.

**Hon Mr Cooke:** That question is almost as long as the member's answers used to be.

I would agree with the member that there were a number of initiatives that had been announced by her government and that we are reviewing, but she must understand as well that we had five weeks or six weeks in session before Christmas and these have to be seen as an entire package. We are bringing in the new conflict legislation, we are reviewing the open-meetings legislation and the disposal of public lands, but in the immediate future I certainly intend to re-examine the whole city of York issue and see if there is some action that we can take as a government to restore public confidence in that local government.

#### ASSISTANCE TO FARMERS

**Mr Villeneuve:** The minister's own committee of NDP members on farm financing recently stated, "Ontario farmers continue to experience low incomes and economic uncertainty." Farm income is expected to drop by some 15% to 20% here in Ontario again this year, the fourth year in a row. Over the last year, farmers have worked with the provinces—and I underline "farmers have worked with the provinces"—and with the federal government to develop a pair of linked, complementary safety net programs known as GRIP and NISA, gross revenue insurance plan and net income stabilization account. The minister has announced that Ontario will participate in the first, the GRIP. Could he tell us when he plans to announce that we will be participating in the NISA?

**Hon Mr Buchanan:** The NISA the member alludes to is under consideration by my ministry. We are looking at a number of other programs as well. There are some other urgent situations in the farm community that need addressing. We have put together several programs. We have asked the Treasurer for funding for some of those programs. We will be reviewing our priorities. We would like to make sure that the money that we have available to this ministry is spent in the best possible way. NISA is on the list, and I am not sure whether we will be announcing participation in NISA or whether we will be announcing some other program that may serve farmers who are in greater need.

**Mr Villeneuve:** This was set up by farmers and it was in conjunction with both levels of government and it is intended that GRIP and NISA work together. They support and complement one another as a program for agriculture, and if the minister goes with only one and not the other, he is eliminating a number of sectors within the agricultural community. Will the minister now announce that he will



not overlook any sector of Ontario agriculture and tell us that he will be participating in NISA as soon as possible?

**Hon Mr Buchanan:** It is not our intent to overlook any sector. GRIP, although it is a long-term, 15-year program, is intended to serve the needs of farmers in the short term, to help them get over the hurdles in the short term. NISA, as the member suggests, is a longer-term plan that I believe would serve agriculture and farmers well in Ontario, and it is certainly a plan that I can support in the long term.

However, the way the plan is set up, it suggests that farmers would have money to set aside in a plan which would act as a savings plan, what they would have for a rainy day, and the provincial and federal governments would match the dollars that the farmers put into that plan. I would say to the member that at this point in time we have other farmers who do not have any money to put aside, who in fact need money to go into the planting season with, and we would like to probably address their needs first, very much keeping in mind, though, the need of farmers to have NISA for the long term.

1440

#### CROSS-BORDER SHOPPING

**Mr Martin:** Cross-border shopping is a sensitive issue, especially in constituencies like my own, Sault Ste Marie. Due to poor economic conditions, in order for consumers to shop cheaply they turn to the United States market. Now the retail markets in border towns like Sault Ste Marie are suffering due to excessive cross-border shopping. My question today is to the Minister of Revenue. In light of the federal government's plan to fast-lane border crossings, what is the Ontario government planning to do to relieve the economic impact on communities affected?

**Hon Ms Wark-Martyn:** I, like the member for Sault Ste Marie, come from a cross-border community and am very aware of the difficulties that we face being a cross-border community. I should add that my federal counterpart did not consult with the Ontario government on the new pilot project. I have asked officials of the Ministry of Revenue to get back to me on details of the new pilot project that they are launching so that we can look at it and assess the effect this program has on cross-border shopping and our retail sales tax.

#### PURCHASE OF URANIUM

**Mr Brown:** My question is to the Premier. I want to raise with the Premier today the issue of Elliot Lake. The Premier would be aware that unemployment in Elliot Lake is running at about 62%, he would be aware that we have lost 2,500 jobs in the mining sector and he would be aware that in January 1990 the Minister of Natural Resources urged the former Premier to buy 100% of Ontario Hydro's uranium needs in Elliot Lake. He would be aware of all those things. He would be aware that he himself confirmed this promise in August of this year and he would be aware that his own party's convention just three weeks ago confirmed the commitment.

Yet we were quite surprised that last week the Minister of Energy said that the Ontario government will not direct

Hydro to pay the price that Denison Mines wants for its uranium and went further, to say that this company is just not viable in this province. My constituents are confused, my constituents are frustrated. Is the Premier going to honour his commitment and buy 100% of Hydro's needs in Ontario or is he not?

**Hon Mr Rae:** I want to say directly to the member for Algoma-Manitoulin, as I spoke to him last week—and I have spoken to the mayor, I have spoken to the members of the trade unions involved, I have spoken to the leadership of the community as much as I can and we have also been talking to Ontario Hydro. The Minister of Northern Development and the Minister of Natural Resources are scheduled to go to Elliot Lake next week to have some more discussions, and the member is certainly going to be invited and involved in those discussions.

I would just make one observation to the member, and that is to say that the difficulties that the Denison company has now and has had for the last while really have nothing to do with Hydro. They extend well beyond the boundaries of this province, as he will know. They have to do with developments in British Columbia; they have to do with developments overseas as well. The company's difficulties are very real and very significant and are not directly related to the question of the Hydro contract.

So I would say to the member that, obviously, previous statements that have been made and objectives of policy that have been made are important to us. We also have to take into account the realities with respect to the situation at Denison. We also have to take into account the realities of the costs of the contracts as we have now discovered them to be, because we have an obligation to do that. I can only tell the member that he will be very much involved as we come to a solution of this issue.

**Mr Brown:** I appreciate that the Premier will keep us all involved and that the Premier is concerned and that the Premier is concerned with the diversification, but I would tell the Premier that when Algoma Steel is in trouble, he goes to help Algoma Steel. I would tell the Premier that we have grave difficulties in Elliot Lake, and what he is telling me is nothing new to either me or the people of Elliot Lake. I would tell the Premier that we need some time in Elliot Lake. We need four or five years to make sure the diversification plans can come together and the people of Elliot Lake will have jobs.

They made a specific promise to the people of Elliot Lake, a very specific promise, and the promise demands an answer today. Is the Premier going to buy 100% of the uranium in Elliot Lake, and if so, Elliot Lake lives, or if he is not, should we get the U-Haul trailers out now?

**Hon Mr Rae:** That kind of comment really does not help the people of Elliot Lake. It does not help the problem. No, it does not. It does not deal with the issue.

I can say to the member, when he was in government he may not have been aware of the Denison contract. He may not have been aware of the Rio Algom contract. He may not have been told about that by his colleague the Leader of the Opposition and by others.



I can only tell him what we are doing for Elliot Lake. We are taking the same approach that we have taken with the Agoma, and that is to say that we are going to sit down with everyone. There has already been an announcement of \$15 million for the community of Elliot Lake announced this Christmas, and I can say to the member for Agoma-Manitoulin that we are going to be doing everything possible to see that the community has a strong and diversified future. That is precisely the direction which this government wants to take, but I can say to the honourable member that it would be absurd of us to take action without the kind of consultation which needs to take place with Hydro and with the community and with everyone, which is precisely what we are going to be doing.

#### CROSS-BORDER SHOPPING

**Mr J. Wilson:** My question is to the Minister of Tourism and Recreation. The minister and all members of this House should be aware that tourism is Ontario's third largest industry and Ontario's largest private sector employer, employing some 16% of the Ontario workforce. The minister should also be aware that Ontario's tourism industry is in crisis. Ontario has lost between \$360 million and \$80 million over the past year in retail sales due to cross-border shopping and visits to this province by American tourists have substantially declined. Would the minister please tell this House what specific action he has taken to address these problems?

**Hon Mr North:** On the issue that the member speaks to we have talked at length to a number of different tourism groups and we have asked them their thoughts and we have been trying to gain some simple knowledge as to whether or not they feel that there are things we can do that are viable. Some of the things they have asked us to do is they have asked us to bring a working committee together that would help them to give presentations to the Fair Tax Commission or other groups which government feels it is going to develop, and that will give them, they feel, the opportunity they need to address this problem in a way that is beneficial to them.

**Mr J. Wilson:** It is fine to keep going around the province making tourism industry groups feel good, taking helicopters and making announcements in northern Ontario, but what the industry needs now is action.

The minister will know that several months ago the federal government introduced a \$4-million marketing initiative strictly for southern Ontario, and it is the first time in the federal government's history that it has earmarked money specifically for a region. It has also over the last year doubled its marketing budget and its commitment to the industry.

The minister was quoted in the 9 March edition of the Collingwood Enterprise Bulletin saying: "I back the federal government's new campaign. It's a shot in the arm for the region. Southern Ontario has been hit hard by the declining auto industry. I've been on the phone to the federal minister anticipating a discussion meeting with his office."

I suggest that the exact opposite is true. In fact, I have had discussions with the federal minister where he tells me that some two months ago he tried to get a meeting with

the minister and he has not returned his phone calls. He has not co-operated with the federal government in order to address the problems of the tourism industry. It is a three-way street. It is federal, provincial and private sector. When is the minister going to get off his butt, phone the federal government and co-operate with its new initiative?

1450

**Hon Mr North:** I would like to address the member's concerns. First of all, I would like to say that we have been in contact with the federal minister's office. Members of our office have been in contact. We are very interested in initiatives that the federal government brings forth. We have actually spoken to cabinet and caucus about these issues and we would like to entertain any other offers that he wishes to make.

#### MINING INDUSTRY

**Mr Drainville:** I would like to address a question to the Minister of Mines, if I might. As the minister obviously knows, there has been a significant slowdown in mineral exploration in the northland. We also know that numerous companies have been closing their mineral exploration offices, that there have been cutbacks in the number of personnel they have. In 1990 it is estimated that \$200 million will have been used for mineral exploration, which is 15% down from 1989 and 40% down from 1988. I would ask the minister, in light of these very difficult statistics and the very difficult time that the people in the north are having in the mining industry, what the minister and his ministry will be doing.

[Applause]

**Hon Mr Pouliot:** Quelle modération. You are right, Mr Speaker, I will not refer the question. In fact, it is the most interesting and insightful question because it deals with the 40% of note.

We are talking about 60 operating mines, no less, 80,000 to 85,000 direct and indirect jobs, putting \$170 million, by virtue of a production surpassing \$7 billion, in the pockets of the Treasurer of Ontario to afford social programs such as health, the Ministry of Community and Social Services, education services.

But wait. The money is coming back. Through the prospectors' assistance program, what we are doing is we are putting money in the pockets of prospectors before they even have a chance to put rocks in the box. We are also supplementing, for people who have been given a chance to dream, the mineral incentive program. It is being augmented to the tune of \$2 million to give a further chance to get closer to the day where production will be achieved. We are on the verge of concluding an agreement with the federal government that will produce an entitlement of some \$30 million in a collective spirit.

Alas, not all is well in mining, for it was these people at the federal level who pulled the rug with the flow-through share system. We are doing all we can in Ontario.

**The Speaker:** I hesitate to ask if the member would like a supplementary. No? Thank you.



## WAGE PROTECTION

**Mr Offer:** My question is for the Minister of Inaction. I notice that I think all of them opened up their briefing books, but I will place it to the Minister of Labour.

The minister will remember, as we do, the announcement that he and the Premier made in the aftermath of the Massey-Verity sellout of plans for a wage protection fund. Last week bankruptcy statistics showed that, with the recession, Ontario is also in a deep bankruptcy crisis. All we have seen of this promise is the minister's directionless discussion paper, which lists literally dozens of options for what will be covered and how it will be paid for. They refuse to act at a time when action is necessary. People do not know what to expect or when.

Will the minister today confirm that any legislation he puts forward—and that is a big “if,” but if he does put forward any legislation—will he commit today that there will be an opportunity for business and labour, public consultation on that legislation?

**Hon Mr Mackenzie:** The member I would think knows that we have gone through a consultation process with the options that are there. The member should also know that when we bring in the legislation, and we will be taking a look at the options and presenting that legislation in this session of the House, at that point in time it will probably go out to committee and there will be a chance to participate in the discussions on that bill.

**Mr Offer:** The minister will then be aware, by his own admission, that the very earliest time for getting a wage protection fund in place will either be late fall or early winter of this year. That is the very earliest time, as the minister has now committed to public consultation after the tabling of this legislation. The Premier told workers in October to start lining up for their cheques. Thousands of workers have taken his advice. They have stood in line this past fall, this winter and, by his own admission, will have to continue to stand in line spring, fall and winter of this coming year.

Bankruptcies in this province have shot through the roof, and the minister has raised the roof even higher with expectations that he will keep his promise. Thousands of workers are now asking the question, when will the minister be bringing forward this legislation, and will he be bringing forward this legislation?

**Hon Mr Mackenzie:** I think the member was not listening or he would have heard me say that he will see the legislation in this session of Parliament. We would like to see it through—

**Mr Offer:** You said that last session also.

**Hon Mr Mackenzie:** No, we did not say last session. We would like to see it through before the House adjourns in June. We will make that effort. If I heard correctly from the member's leader, maybe we will be able to get it through the House by June, but he will see the legislation very shortly and we will see how fast we can work it through the House. That will depend to some extent on the members opposite.

## INMATES' ACTIVITIES

**Mr Carr:** In the absence of the Minister of Correctional Services, I will address this to the Premier, if he could wait a quick moment. On the front page of the Toronto Star today there is a headline about eight convicted criminals who were sentenced to perform community work actually played volleyball during that period of time. Neither their agency, whose job it was to find the men work, nor the probation office knew the men were playing volleyball every Monday for three hours. Ad hoc volleyball games are breaking out across the province.

My question to the Premier is this: Will he instruct the Minister of Correctional Services, if the Premier does not believe this is appropriate, to review the procedures to eliminate this type of practice?

**Hon Mr Rae:** Mr Speaker, I am sure you will appreciate that the minister is very much in charge of this and I will refer the question to him. I obviously will bring it to his attention when I see him some time this week. I am not sure when he will be back. Obviously it is something of which he will want to be aware.

**Mr Carr:** I will then ask a supplementary to the Premier that hopefully he can answer. It is now spring in Ontario. There are a lot of things that need to be done in this province. There are river banks that could be cleaned up, there are trees that could be planted, hospitals and seniors' homes that need assistance, not to mention some border crossings that are looking for someone to direct traffic on Sundays. Will the Premier instruct, under the circumstances, the Minister of Correctional Services to have the people deal with some substantial issues and not spend time serving volleyballs?

The question comes to the fact that we have in this province a situation where people, when there are actual jobs that could be done by some of these people serving sentences, are in fact playing recreation. Will the Premier give us the commitment today that he will make sure they get off the court and get out there and do something constructive with their time?

**Hon Mr Rae:** As I said in my answer to the first question, I think the fairest way to respond is simply to say that I will raise it with the minister.

1500

## INTERNATIONAL TRADE

**Mr Cooper:** My question is for the Minister of Industry, Trade and Technology. The government of Canada has decided to participate in the proposed North American free trade negotiations. The federal Minister for International Trade, the Honourable John Crosbie, is firmly behind these negotiations and feels they will produce a positive result for Canada.

I come from an area in Ontario which up until two years ago had the lowest unemployment rate in all of Canada. Many of the unemployed workers, especially in the automotive sector, feel their job loss is a direct result of the Canada-US free trade deal.

Would my colleague please tell the Legislature how Ontario views these negotiations and what Ontario will be



ing in support of Ontario constituents when these negotiations commence?

**Hon Mr Pilkey:** Yes. Thank you very much, Mr Speaker.

**Mr Mahoney:** You're looking well rested.

**Hon Mr Pilkey:** I thank the member for Mississauga West.

The federal government has led Canada into yet another round of free trade and it is a direction which Ontario does not support. There are several reasons for this position in terms of trade and the likely economic gains for Ontario are minimal at best. We view the trilateral negotiations as an extension of the Canada-US free trade agreement, and that agreement has not worked for the people of this province.

Quite frankly, we do not see how this trade agreement with Mexico can be other than an exacerbation of what has already been an unfortunate circumstance for the workers and many companies of this province. We feel and have concerns that these negotiations could lead to even further concessions which would translate into increased adjustments for Canadians. To support these negotiations would be to imply that the federal government's performance to date in helping workers adjust to these layoffs and job losses has been okay, and that too has not been all right with this government nor is it likely to be. We are in fact not at all satisfied with the results of that free trade agreement.

However, I want to indicate to the House that the government is not opposed to multilateral trade and quite frankly supports GATT initiatives and the kind of trade liberalization which all of us have enjoyed in the past and hope to foster into the future.

**Mr Turnbull:** What are you going to do about it?

**Mr Stockwell:** Rip it up, just like you were going to with the GST.

**Hon Mr Pilkey:** I can understand that the opposition does not want to hear particularly from this side—

**The Speaker:** Would the member take his seat, please. Would you stop the clock, table. Would you restore 30 seconds to that, please. That is the time that I had stopped. It would be helpful if we try to have succinct answers to questions that are posed. Do we have a supplementary?

**Mr Cooper:** I understand that the President of Mexico, as well as the leader of the opposition in Mexico, will be paying a visit to Ontario early in April. Given the Ontario government's obvious opposition to the proposed trilateral negotiations, would the minister tell the Legislature if he intends to raise Ontario's concerns with these two visitors?

**Hon Mr Pilkey:** In light of the Speaker's very sage decision, yes, the Premier and I will be doing exactly that.

#### CLOSING OF CAMPGROUNDS

**Mr Cleary:** My question is for the Minister of Tourism and Recreation. Can the minister clarify for this House whether or not he supports the St Lawrence Parks Commission's call for business partners in order that the

five parks closed in February 1990 be opened and operated in a financially viable manner?

**Hon Mr North:** I appreciate the question from the member. Presently we are working together with the commission on some joint ventures, and one of the things that we are interested in is looking at ways that we can keep these parks open. We are very disappointed at the aspect that the parks have been closed. They were not closed, as members will understand, by our government, but we are doing everything that we can at this point, working with the commission, to look at the options that are available, and hopefully we will have something in the very near future. I thank the member for the question.

**Mr Cleary:** Can the minister guarantee for this House and for the people of eastern Ontario that the parks will be open this summer?

**Hon Mr North:** I will try to be as polite as I can about this. We are not the people who closed the parks. I am sure the member will understand and know who closed the parks.

**Mr Bradley:** But you're the government now. You have got the limo. You have got to give the answer.

**Mr Runciman:** This is a pretty big flip-flop.

**Hon Mr North:** You will understand, Mr Speaker, that they closed the parks; that was then. We will try to open the parks; this is now.

**The Speaker:** New question, the member for Mississauga South.

Interjections.

**The Speaker:** The member for Mississauga South was recognized before time had expired on the clock. I will allow her the opportunity to place a question and for a response.

#### ONTARIO FILM INVESTMENT PROGRAM

**Mrs Marland:** My question is to the Minister of Culture and Communications and it concerns the Ontario film investment program, which he and I both know expires on 31 March unless this government renews the funding.

The minister also knows that the \$15 million spent by the government on the program in the fiscal 1990-91 year generated \$120 million worth of film production. In other words, the program creates jobs and stimulates the economic activity. He also knows that without an incentive program such as the Ontario film investment program, Ontario cannot compete with other jurisdictions like Quebec, which offers generous tax write-offs to investors in film production.

It is a very serious economic and cultural decision that this government should have made before this deadline expires, and we simply ask the minister today, will this government make a commitment to renew the Ontario film investment program in order to ensure that Canadian films continue to be made in Ontario and the revenue and jobs are generated that are so much needed?

**Hon Mr Marchese:** I am very well aware of the benefits of the film industry, in Ontario in particular. In fact, it



generates \$220 million worth of investment, so it is not a matter that we are not aware of.

We have met with all of the different industry people who have told us about the needs and the benefits to this government. I recognize those benefits. I also recognize that this film investment program was sunsetted for two years and we are now having to deal with this in terms of renewal. I can assure the member that we are looking at it with respect to all of the needs of the people of Ontario. I hope to be able to have an announcement very soon.

## PETITIONS

### ABORTION

**Mr Hansen:** I present this petition on behalf of 214 residents of Lincoln. The petitioners humbly pray and call upon the Legislative Assembly of Ontario to strongly urge the Legislative Assembly to enact laws which would protect the rights of the unborn child and to withdraw its decision to fund abortion clinics in Ontario.

### VEHICLE LICENSING OFFICE

**Mr Villeneuve:** "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario"—this is a petition signed by 356 people petitioning the government and the Ministry of Transportation to keep the licence-issuing office open, office number 440, 2nd Street West, in Cornwall, Ontario, and I agree with them.

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## INTRODUCTION OF BILL

### ENVIRONMENTAL PROTECTION AMENDMENT ACT, 1991

#### LOI DE 1991 MODIFIANT LA LOI SUR LA PROTECTION DE L'ENVIRONNEMENT

Mr Chiarelli moved first reading of Bill 41, An Act to amend the Environmental Protection Act.

M. Chiarelli propose la première lecture du projet de loi 41, Loi modifiant la Loi sur la protection de l'environnement.

Motion agreed to.

La motion est adoptée.

**Mr Chiarelli:** The bill would amend the Environmental Protection Act by giving municipalities and, in territory without municipal organization, local service boards, the authority to make bylaws prohibiting the depositing of waste from outside the municipality or board at sites within the municipality or board area. The bylaws could prohibit this either absolutely or unless certain conditions set out in the bylaw were met.

The bylaws would be effective even in the case of a waste disposal site in respect of which the owner or operator had previously obtained an approval from the director under the Environmental Protection Act.

## ORDERS OF THE DAY

### INTERIM REPORT, SELECT COMMITTEE ON ONTARIO IN CONFEDERATION

#### RAPPORT PROVISOIRE DU COMITÉ SPÉCIAL SUR LE RÔLE DE L'ONTARIO AU SEIN DE LA CONFÉDÉRATION

Resuming consideration of the interim report of the select committee on Ontario in Confederation.

Suite de l'examen du rapport provisoire du comité spécial sur le rôle de l'Ontario au sein de la Confédération.

**Hon Miss Martel:** There has been an agreement among the three parties to divide the time evenly.

**Hon Mr Hampton:** I am honoured to have this opportunity to address the Legislature on the future of Canada. It is indeed a privilege, as Attorney General, to participate in discussions which allow us to define the direction of future constitutional debates.

The report of the select committee on Ontario in Confederation provides us with the framework of issues that need to be addressed as we talk about the future of Canada. I would like to commend the committee on the fine work it has done to this point. I know that their future work will contribute significantly in defining Ontario's role in helping to build a new Canada.

The constitution of any country cannot remain static. This is especially true in a country like Canada, where differences are encouraged, indeed celebrated. A constitution must reflect the changes that occur as a country evolves and as international influences are brought to bear upon our lives. The status quo is no longer acceptable. The events of the last year clearly pointed out that changes must be made.

A united Canada by necessity must include the first nations and Quebec. This is the cornerstone upon which all discussions must be rooted. We must be committed to working towards making the fundamental structural changes necessary to keep Quebec in Canada and accord the first nations their legitimate position in this country.

With this debate, Canada has the opportunity to build a new Canada that is based upon what we share in common, and at the same time recognizes the unique perspectives that exist in this country. We have an opportunity to have our constitutional laws, conventions and practices reflect our goals for social and economic justice.

Canadians have a lot in common. No matter where we live, whether it is a large urban centre like Toronto or a small northern community such as the one I come from, we all deserve a certain quality of life and believe that standards should be shared by all. This quality of life includes things like food on the table, shelter, security, friendship, dignity and accessible and affordable health care. These form the basis for the common values that bring us together and define our identity.

The Charter of Rights and Freedoms adopted in 1982 is one expression of our shared values. However, it is important to recognize that respect for fundamental rights did not begin in 1982. Prior to 1982 many provinces, including Ontario, had passed human rights codes and, of course, the federal government had enacted the Canadian Bill of Rights. The charter succeeded in securing for the people of



the country rights which could not be legislated away by any government of the day.

Let us not underestimate how important Canadians view those rights. Without question, Canadians have a real sense of the significance the charter plays in their day-to-day lives. I believe it is important to continue to pursue not just constitutional means of securing our fundamental rights but also through expanding protection through legislative initiatives such as the human rights codes and pay equity. The notion must be reflected through changes made to the institutions that govern our lives.

The committee emphasized the importance of involving women in any process of change, as well as the importance of affirming gender equality as a fundamental value shared by Canadians. The equality of women is fundamental to their continued meaningful participation in society and is recognized in section 15 and section 28 of the charter. With 52% of the population in Canada being women, it is simply unacceptable to consider constitutional negotiations without full and complete representation of women from all backgrounds at every level of future discussions. This alone is sufficient reason to oppose constitutional amendments drafted solely by male first ministers. Women must be at the table.

J'aimerais prendre quelques minutes pour parler de certaines des différences que nous célébrons en tant que Canadiens. Dans son rapport, la commission d'enquête affirme l'importance de la protection des langues des minorités. J'appuie l'affirmation de ces droits importants. Ici en Ontario la Loi sur les services en français garantit certains droits et services aux citoyens francophones. Nous devons continuer à bâtir sur cette importante initiative.

The committee points to the important contributions made to the development of this country by individuals of other cultural and racial heritages than aboriginal, English and French peoples. The importance of Canada's multicultural heritage has been recognized in the charter, which makes clear that it is to be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians. These guarantees are important and need to be affirmed.

The committee also, through a number of presentations by disabled individuals, was able to obtain a better understanding of the barriers they face to full participation in society. Although the charter specifically guarantees that individuals with disabilities be treated equally, there are structural, institutional and attitudinal changes that must be made in order to secure full participation in our society. I fully support the committee's initiative to continue to explore these issues.

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As we build a new Canada, respect for and affirmation of both individual and collective rights will continue to be a central shared value. Collective rights and individual rights are not mutually exclusive. It is important that we reflect upon and recognize that there must be both a balance between competing rights and a balance of individual rights in the interest of the broader community as expressed through democratic institutions.

I would like to discuss another important issue. No debate can take place without the active participation of the first nations and the consideration of their legitimate position in this country. I am pleased to see that the matter of justice for Canada's aboriginal peoples was one on which there was the widest consensus before the committee. Aboriginal peoples had functioning societies for thousands of years before we Europeans arrived, with their own social and justice codes that worked well for them. We recognize that aboriginal people have the inherent right to self-government based on their occupation of the land prior to the arrival of Europeans.

Within days of becoming government, the Premier formally recognized the inherent right of aboriginal peoples to self-government. Self-government is more than a land claim agreement. It is more than a piece of paper. Self-government means community control over all aspects of everyday life, including not only those decisions that address physical needs but also those decisions that embrace the spiritual needs of a people.

Governments have for too long adopted a paternalistic approach towards aboriginal peoples. We who are responsible for creating geographic prisons must now ensure that control over the institutions and services that affect the lives of the people of the first nations is returned to them. The first nations must be at the table. I believe that future constitutional discussions must address the entrenchment of the principle of aboriginal self-government. I believe that aboriginal peoples must fully participate in the important decisions that affect them.

We must address issues such as protection of traditional values, quality of life, resources, language, education, family relations and the care of children, economic opportunities, land claim negotiations and the administration of justice. After the first nations have defined their priorities, we must work with them to identify the resources necessary to enable them to develop their own solutions. Indeed, the consensus that the select committee heard across the province provides a strong mandate to this government as it pursues its agenda on self-government, land claims and improvement in quality of life within aboriginal communities. I repeat, no debate can take place without the first nations.

Another area I wish to address is the issue of regional disparity. I admit that my comments reflect in great measure my own experience as an individual who comes not from the heartland of Ontario but from the hinterland of Ontario and the hinterland of Canada, often referred to as one of those have-not regions. Where I come from, the public sentiment most frequently expressed is that of being on the outside looking in.

I grew up watching television, listening to radio and reading newspapers from Winnipeg, which expressed western Canadian views and political grievances. I have great empathy with the often expressed view that too many important decisions in our country are made from the central Canada, southern Ontario and Quebec perspective, while the rest of Canada is asked to tag along.

As someone from northern Ontario, I know well the struggles faced by people living in regions that do not



include Metro Toronto. Most discussions regarding regionalism in this country focus on five distinct geographic areas—the Maritimes, Quebec, Ontario, the western provinces and the territories—but in fact the northern region of this country, from east to west, shares a way of life which is completely different from that which is experienced by 80% of Canadians who live below the 49th parallel. A person who lives in a town in northern Ontario shares more common values with a person who lives in northern Quebec than with a person who lives in Toronto.

Regional disparity is not an interprovincial issue. Residents in northern Ontario, in this richest of provinces, suffer from chronic underemployment and reduced opportunities. Have-not regions are not only financially poorer but their economic base is more narrow and more fragile. As a result, there needs to be extra attention paid to what elsewhere might just be weathered as a downturn in the economy.

Since the time of Confederation, governments in Canada have been aware of the disparities in services, rights and opportunities that exist between regions of the country and between regions within a province. Although sharing has long been a fundamental value to Canadians and an active government role in promoting equity between persons in regions has been a persistent theme of our history, the assistance has been ad hoc, piecemeal and often tardy.

In 1982, we took a major step forward. All governments agreed to enshrine in the Constitution, through section 36, an open-ended recognition and commitment that all Canadians, wherever they may live, enjoy equal economic opportunity and essential public services without an extra tax burden. Section 36 has been given little more than lipservice by past and present governments, and that is a very sad fact. One only has to look at northern Ontario to ascertain the devastation brought about by the loss of federal financial commitment to national programs and the special impact of constraints in economically vulnerable regions as we struggle through an economic slowdown.

As the committee examines the relationship between constitutional and economic change, economic disparities must be given a full hearing. We need to determine what type of national structure, operating under what rules, will help us to meet our goals for social and economic justice.

Let me repeat: Canadians have a lot in common. They have a common right to quality of life that must be ensured and protected through a strong central government. Our national institutions must be strong enough to protect our quality of life, yet be flexible enough to allow for the redefinition of particular needs and concerns that are evident in the different regions of our country.

We need a strong Canada. It does not and cannot exist in isolation. We must be assured that Canada, through institutional means, represents and protects our interests in the international arena. Canada must be a strong participant within the context of the global community as it evolves. It seems out of step to consider fragmenting into a number of isolated regions while other nations are grouping together to form strong and protective alliances. At the same time, we have to consider the type of changes neces-

sary to ensure that regional differences and concerns are represented in our federal institutions.

As we debate again what it means to be a Canadian, we must ensure that we identify the economic, cultural and social values essential to us as Canadians. As I read the report of the committee, I saw time and time again the awareness of the people of Ontario of the complexity of the debate. The majority of people in Ontario care deeply about Canada remaining whole. They understand the importance of affording the first nations their legitimate place in Canada, accommodating Quebec's special needs and maintaining a vital and productive economy in the face of American economic power. Many contributors, especially from northern Ontario, expressed the need for our constitutional discussions and reforms to address the worsening plight of the have-not regions of Canada. The message is clear: Any constitutional reform package must address the current manifestations of the dominating themes of Canada's history.

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I believe that to a great extent we find ourselves in political and constitutional difficulties now because too many of our political leaders over the past 25 years have either not understood or too frequently ignored the depth and breadth of our constitutional fabric. Consider, for example, the alienated message that is inherent for agriculturally based western Canada when a Prime Minister elected from the heartland of Canada tells western farmers that he has no responsibility to help sell their wheat in the midst of a severe 1970s agricultural recession. Consider also the tears in our constitutional fabric that resulted when the federal government of the day in 1980 insisted that it had the right and power to unilaterally amend our Constitution without regard to the opposition or aspirations of dissenting provinces, the first nations or our minority communities; or again, the implementation of a Canada-US trade agreement on the basis of a narrow economic agenda while trying to ignore the impact on some of our most symbolic national institutions. This cuts to the heart of our sense of what it means to be a Canadian in the shadow of American economic power and political ambition.

I believe, likewise, that there is much that we can learn and must learn from the failure of the Meech Lake accord. We must appreciate that the process surrounding the 1981 amendments to our Constitution and the Constitution Act of 1982 itself substantially altered the constitutional reform process for the future. Canadians who had never been heard from before, or whose voices were easily ignored in the past, became passionately involved in our constitutional process. Women, aboriginal people, multicultural groups, language minorities and people with disabilities entered the 1981-82 debate and spoke with a strong collective voice. Their place in Canada could not be ignored.

After people fought long and hard from 1980 to 1982 for important constitutional changes, it was a critical error to believe that they could be excluded from the Meech Lake discussions. The public reaction to the closed-door backroom boys approach was negative and became overwhelmingly so when attempts at public participation in the Meech Lake process were rebuffed.



I believe the public's opposition to the Meech Lake closed-door approach has been well documented by the committee. The committee report states:

"The need of the people of Ontario both to participate in constitutional discussions and to be kept informed of their progress was raised time and again. Closed-door meetings of first ministers were strongly criticized. There can be little doubt that the Meech Lake process left people with a profound sense of disenfranchisement."

I believe that the committee is absolutely correct in its view that in its next stage it must find innovative ways that ensure effective public participation in the whole of the constitutional reform process. Failure on the part of Ontario or other provinces to find creative ways to ensure meaningful and effective public participation in ongoing constitutional reform discussions is bound to lead to the same public backlash that surrounded the Meech Lake accord and ultimately led to its defeat.

The committee report on page 26 states:

"Many witnesses commented on Ontario's role in negotiating and creating a new constitutional arrangement. It was argued that Ontario should play a leadership role in constitutional negotiations both because of its historically close relationship with, and proximity to, Quebec, as well as its size and economic strength within the Canadian Confederation."

The committee's position, as stated, is: "We agree with those witnesses who argued that Ontario should promote...native and language issues; cultural diversity; and free trade."

I want to argue that Ontario, because of our history and geographic location, has a unique and perhaps even a critical role to play in the ongoing constitutional reform discussions. I believe there is much that English-speaking Canada needs to say to Quebec. We need to point out to Quebec that the failure of the Meech Lake accord was not intended as a rejection of Quebec and should not be regarded as such by Quebec. This is a very difficult task—some would say it is an impossible task—but someone must attempt to do it, and Ontario may be in the best position to make the statement.

For a number of reasons there is a great deal of misunderstanding across our country as to the meaning of the constitutional processes and events that have occurred in Canada over the past decade. Ontario must attempt to lead the discussion on the different interpretations that exist across Canada about those constitutional processes and events. While it may not be possible to achieve agreement on what has happened in the decade of the 1980s, it may be possible to at least achieve some common understanding.

As Attorney General, I look forward to the process that lies ahead with a sense of excitement and not a little trepidation: excitement because of the potential to build a new Canada which reflects the shared values of 25 million Canadians; trepidation because so much is at stake: the very future of Canada. I am honoured to play a role in this endeavour, and I thank you, Mr Speaker, for the opportunity to make these preliminary observations today.

**Mr Sorbara:** It is a pleasure for me to join in this debate, particularly following the Attorney General. I want

to say to him that I listened carefully to his remarks and I want to congratulate him for what he has had to say today on the issue of Canada's Constitution. It appears that he worked on remarks that were appropriate to the occasion, and I am reminded that the Premier has said on many occasions, and other premiers before him, that this issue really is not a partisan issue; it is one that we all join in together, trying to find, in this case, solutions that are appropriate for not only our province but this great nation.

I want to begin by congratulating the members of the select committee on Ontario in Confederation, and in doing so, to say a specific word of congratulations to the member for Dovercourt, who as a new member of the assembly took on a very challenging responsibility as he chaired that committee. The other members of the committee, each of the members of the committee worked diligently, I am told, from very early in the morning until very late at night, for days and days and days, and travelled on a schedule that I think no other committee in the history of this Legislature has matched.

I want to say a specific word about the contributions of our own members of that committee, that is, the member for York North, the member for Ottawa-Rideau and the member for Mississauga North. As it turns out, given that we have just come out of an election some six months ago, those members, along with the member for Parry Sound, really represented on the committee the voice and the ears of experience. I think what they did, besides listening diligently and questioning thoroughly the witnesses who came before that committee, is they shared their own experience as to the conduct of select committees and therefore, I think, helped the new members of the committee, those from the New Democratic Party and from the third party as well.

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I just should say in that regard that the first report of the select committee will add significantly to the debate that is now going on in Canada on the question of the future of the Canadian Constitution and amendments that are to be made thereto. I do, however, look forward to the committee's second report—I presume that that will be its final report. I say that because this first report, as thorough as it is, sets down some basic principles that the committee thinks must be taken into consideration as we continue to examine this question. We will look forward down the road to the comments that the committee will have after its next round of work and the investigations that it will be making in conjunction with that next round of work.

I must say that in order for the committee to do that work effectively, there will come a time—I would suggest to the Chairman of the committee and to the members of this House—very, very soon when this committee, the members of this House and the people of this province will have to hear from the Premier of the province of Ontario and have to hear from the government of the province of Ontario what their views are in respect of constitutional change. I do not think that issue and the question of where the Premier is coming from can come any too soon.

There is a long history in this province, a history summed up as eloquently as it could ever be done by my



colleague the member for Brant-Haldimand in a speech about a month ago to members of our own party—

**Mr Nixon:** A great speech.

**Mr Sorbara:** It was a great speech, indeed, I say to my leader. But in that speech the member for Brant-Haldimand made it perfectly clear that there is a powerful historical tradition in the province of Ontario of premiers of this province taking a strong leadership role whenever this country has been confronted with constitutional issues.

In recent memory, David Peterson fought very strongly right across Canada to try to ensure that the Meech Lake accord was passed. He was one of the key players in the negotiation of that accord and one of the key players in the attempt to have the Meech Lake accord passed. As my leader said a month ago in that speech, he paid the political consequences for taking that leadership role.

If you go back a few years before that, Premier John Robarts and the establishment of the Confederation of Tomorrow Conference really set the agenda for almost 20 years and, I think, took the steps that led directly to the repatriation of the Constitution in 1982 under the leadership of Pierre Elliott Trudeau.

So the committee and the province await word from the Premier of Ontario as to where he stands and what he thinks needs to be done in order to get us beyond the current constitutional impasse that seems to be impeding progress in Canada. This issue cannot be underestimated, because until we hear from the Premier, all of the rest of the work that is going on in Canada is going to have to await final resolution.

The work of the Bélanger-Campeau commission is about to be presented in the province of Quebec. We know very well where Jacques Parizeau stands on the Canadian Constitution and we know well where Premier Bourassa stands on the Constitution.

Premier Frank McKenna has spoken out strongly about his views as to where we should be going. Premier Clyde Wells of the province of Newfoundland has made his views very clear. He has called on a number of occasions for the creation of a constituents' assembly in which we could vest the authority for leading us, guiding us, through the constitutional dilemma that we face right now. Other premiers, certainly, throughout western Canada have made their views clear. The Premier of Alberta has been eloquent in his call for and defence of a reconstituted Senate, the so-called triple E Senate.

Indeed, the Premier of the province when he was in opposition spoke eloquently and passionately and in great detail and with great intelligence as to where he thought Ontario should be going. I remember the standing ovation that he received in this very House when he explained to the members of this House and to the province generally why his party was supporting the passage of the Meech Lake accord. He received a standing ovation. It was a passionate speech. It was a brilliant speech and it was delivered with an understanding of the constitutional issues that this country faces of a level that few of us can ever hope to reach for.

The results and the realities of 6 September 1990 are that the Premier, who was at that time the Leader of the Opposition, has now assumed a different responsibility, and we anxiously await the direction that he can provide for the province of Ontario in resolving our constitutional dilemma.

While awaiting his direction, there are just two or three things that I would like to say at this point in time in the debate. Now that the committee has reported to the House, members of the House have an opportunity to make some few comments, and that is what I propose to do today in the brief time available to me.

I think there are two issues that we should remind ourselves of as we move towards a more thorough discussion in the House. Two myths in this debate desperately need to be corrected before we can make any real progress, I believe.

The first issue is that, in repatriating the Constitution and bringing to the Constitution a Charter of Rights in 1982, the rest of Canada did not reject the province of Quebec. In fact, as so eloquently described by the Right Honourable Pierre Trudeau just a few days ago across the street at Convocation Hall, when he delivered, I think, an eloquent examination of the so-called patriation case that the Supreme Court heard in 1981, there was absolutely no rejection of the province of Quebec as the patriation process went from consideration in the House of Commons to legislatures to the Supreme Court of Canada and, finally, to Her Majesty the Queen for ratification.

In fact, Mr Trudeau in his speech reminded us that when the House of Commons voted for repatriation of the Constitution and the inclusion in it of a Charter of Rights, some 71 of the 74 members of the House of Commons from the Province of Quebec supported the address to Her Majesty for repatriation of the Constitution. Indeed, some 35 members of the Legislature of the province of Quebec voted in favour of repatriation as well, and as he pointed out, that represented on a weighted average 65% of all of the representatives from the province of Quebec, both federal and provincial, who expressed their support for repatriation of the Constitution.

Above and beyond that, as he pointed out—I am just repeating here—public opinion polls taken at that time, in 1982 in the province of Quebec, suggested that there was overwhelming support for bringing the Canadian Constitution to Canada, finally, after some 59 years of trying. That exercise was broadly and generally and strongly supported by the people of Quebec, so that in 1984, when the government changed in Ottawa and the new Prime Minister, Brian Mulroney, started to suggest that an historic wrong had been done to the people of Quebec by repatriation, it was really the now Prime Minister of Canada that was foisting some deceit on the Canadian people. That, I think, is at the heart of the problems that we confront today.

The second myth that I think needs to be corrected as we carry on with this debate is the myth that goes as follows, that the failure of the Meech Lake accord was somehow a rejection by the people of Canada outside of the province of Quebec of the interests and the needs of the people of Quebec in that constitutional exercise.



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If we have a look at what happened during the Meech Lake debate, it is clear, at least in my understanding of it, that there was no rejection of the aspirations of the people of Quebec in the failure of Meech Lake. Indeed, this assembly and every other assembly in Canada but for the assembly of the province of Manitoba passed Meech Lake. Yes, in Newfoundland, under the leadership of Clyde Wells, that assent to the Meech Lake accord was rescinded. But even Clyde Wells was prepared finally, after the famous Langevin meeting, to accept the Meech Lake accord in the interest of all of Canada.

There was really only one legislator, in the province of Manitoba, who, in powerful, eloquent and passionate parliamentary style, brought about, I suggest, the demise of the Meech Lake accord. We have to accept that for better or for worse. I think that Elijah Harper, in doing what he did, was making a powerful statement about the status of aboriginal peoples in Canada, and we accept that. The Attorney General himself, who, I regret, has not been able to stay for the rest of this debate, made the point about—I wrote down his remarks. He said there shall be no further debate without the participation of Canada's first nations, and I agree with that.

Elijah Harper took the opportunity to make a point, but he made a point within the context that every other Legislature was prepared to pass, in the case of Manitoba, or had passed the Meech Lake accord and had adopted it as a resolution of each of the assemblies in Canada.

It was a very difficult debate. Those of us who were here at that time remember what a struggle it was, not because of what was sought by the people of Quebec—legitimate aspirations, I believe, each one of them—but because in trying to respond to those aspirations, as every parliamentarian in Canada attempted to do and every province in Canada attempted to do and I think every individual in Canada attempted to do, there was increasing concern that it was inappropriate to have a so-called Quebec round. I think I can understand that. I think if one thinks about the history of our aboriginal peoples, one can understand why it was such an affront to think about having a so-called Quebec round.

If one thinks about the historic yearnings of other regions of Canada, including the western provinces and British Columbia, for significant and substantive constitutional reform, one can understand why some areas of Canada and some legislators in Canada and some parliamentarians felt that it was inappropriate to have a so-called Quebec round.

If we return to the first myth that I talk about, which is that Quebec had been rejected in 1982—it had not been rejected in 1982—we can understand why so many parts of Canada and so many of us felt that real constitutional reform would not happen by undertaking a Quebec round, but by undertaking a process that looked at a wide variety of constitutional issues that currently and still confront Canada.

So where are we to go from here? I would be presumptuous in the extreme if I suggested to anyone in this House that I had all or any of the answers, but I just want to put three points on the record.

First of all, I think that the government of Ontario, this assembly and the people of Ontario have to continue to exercise the role that they have historically exercised in Canada on these matters; that is to say, our interests have to go beyond our borders. If the government of Ontario takes a new approach, and that is to say an approach that puts the interests of Ontario first, we are in grave danger of having this debate deteriorate to an extremely acrimonious one.

Historically Ontario has articulated the interest that it has in Confederation and made that a part of the agenda, but has gone well beyond that to try to understand and explain beyond its borders the importance of a strong fabric for Confederation from sea to sea to sea. I plead with the Premier, as he reflects on the way in which he will articulate sooner or later Ontario's position, to remember that historic role, that the interests of Ontario do not stop at the borders of Ontario but spread right across this nation.

The second point I want to suggest to this House is that we ought not to fear a significant reform of the allocation of powers within Canada. That is to say that I do not believe that there is anything particularly sacred in section 91 and section 92 of the British North America Act. The division of powers such as they are, such as they were established in 1867 and modified through a variety of amendments over the past 124 years, has served us moderately well, but they are not sacred. There is nothing, I think, sacred in suggesting that property and civil rights must remain a so-called matter of exclusive provincial jurisdiction.

For example, we regulate the Ontario Securities Commission exclusively in the province of Ontario now. I do not think it would be sacrilegious to say that in re-examining which government should do what, that we might want to look at allowing the federal government to regulate securities in Canada. I think we should consider doing that if it makes sense, given the way in which other jurisdictions organize themselves, to have constitutional responsibility for securities being vested in the federal government. I do not think that reforms of that significance should be considered anathema. I use securities just as one example.

I think that as we continue down this road, no document should be rejected out of hand. I heard some reaction, for example, to the the so-called Allaire report suggesting that it was a recipe for the end of Canada. I am not attracted to the Allaire report. I think it has very significant weaknesses. I think that the powers that it takes away from the federal government and that the powers it wants to vest exclusively in the federal government would leave Ottawa with very few of the economic and social and cultural levers that are, in my view, necessary to ensure that there is a strong Canadian Confederation.

But let's not reject it out of hand. Let's invite further discussion not only on that document but on all of the other documents that are being generated, including the Bélanger-Campeau commission report when it comes out in a very few days.

The third point, the third principle that I would like to point to today is that in redefining ourselves as a people, rebuilding the foundation of this country, reconstituting



ourselves, rewriting the documents that are the underpinnings for all of our other laws, I think it is important to remember that in the absence of a strong central government, each of the participants, each of the provinces and the territories and each of the regions of Canada are going to be, I believe, very seriously threatened by the kind of forces that are at work in the world today. The globalization of the economies of nations and the world community is such that Canada will need to have a central authority, a central government, that is able to bind us together and unite our regional economic strengths and our regional cultural strengths and the individualism of our various communities across Canada into a strong central authority. We need to be looking at our Constitution in ways that give us the ability to reconfigure ourselves to meet the world community in a way that allows us to be as significant and even more significant a player than we have been in the past. If we simply try to rewrite the Constitution to respond to the urgent pressures of today or the disaffections of today or the grievances of today and we fail to look at a longer-term and a stronger Canadian nation, then I think that we will be doing a disservice to our children.

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The constitutional law of the country is not like the laws that we pass here. Once we have torn away the foundation upon which all of our other laws are based, there is an urgent need to reconstruct that foundation to support all of the other things that we are going to be doing for decades and decades to come. I think that the process we are undergoing now provides each of us with a marvellous opportunity to reshape Canada into a nation that is not only the pride of our children, but the pride of every other nation in the world.

**Mr Eves:** It is a privilege and an honour for me to participate in this debate this afternoon, as indeed it has been a privilege and an honour to serve on the select committee on Ontario in Confederation. I am perhaps either luckier or unluckier than some other members of the House in that I have had the privilege of serving on the two preceding constitutional committees that this Legislature has had, one to deal with the Meech Lake accord and one to deal with the issue of Senate reform in the country.

I would like at the outset to compliment the Chairman of the committee, who I think did an excellent job with a very, very difficult time line, subject matter and logistically overwhelming task from time to time.

I would also like to congratulate the committee members, perhaps many of them more so than myself, because of the fact that many of them endured just about every, if not every, single session that the committee held throughout the province. I cannot stand here in the House and say that, although I think I did attend more than 50%. The member for Willowdale and others certainly did more than that and then some. It was indeed an arduous process, but one that I think was very worth while.

I think that the issue of the Constitution of one's country and related issues are really issues that should be and are appropriately above partisan political debate. If I had my way, and I have had this discussion with previous lead-

ers in my party and I know that other parties have had this discussion as well, I do not think that there is a place for a whip to vote on an issue such as amending the Constitution of one's country. That certainly was the case in this House with respect to the New Democratic Party and the Conservative Party in the last several votes that were been taken with respect to the Meech Lake accord and an amended version thereto, or companion resolutions, as they were referred to. I certainly hope that will be the tack that is taken in the future.

I think that the committee has barely scratched the surface, unfortunately for the committee members, with respect to this very important and overwhelming issue. I have the personal opinion that the time line given to this committee is too short to accomplish the very serious task that has been given to it. I say that in a very constructive critical fashion, not a political critical fashion. I think the time line for the interim report was quite arduous but, more important, I think that to expect this committee to deal with the issues that it has raised in its interim report and come to some conclusion or recommendation with respect to them by 27 June, I believe, of this year is going to be wellnigh impossible if it is going to do its task correctly.

I have unfortunately a slight sense of déjà vu about this because I can recall being placed in this position with the issue of the Meech Lake accord as well, with similar time lines. Although I must say that this committee has been somewhat more open than the previous committee on the Meech Lake accord was, I do not think that our efforts to date have been quite as focused as perhaps they could have been. Hopefully in the second phase of our deliberations we will become somewhat more focused with respect to the issues that we have to deal with.

I believe that before we can understand where we are going in this whole issue of the country and the Constitution, we have to understand where we have been, before we can fully appreciate the situation that we have before us and how we propose to deal with it. I might say that I was cheered by the enthusiasm that many of the relatively new members of the Legislature from all sides of the House displayed during our deliberations. I think that on one or two occasions perhaps some of the new government members were a little more partisan than they had to be; however, that is the way of the world, I suppose. Perhaps after they have served on some other committees they will come to appreciate that this committee is not the place to indulge in trying to score political points on political issues, especially when the issue that we are supposed to be focused on is the Constitution of the country.

During the Meech Lake process, there were several items that were not dealt with—at least, I felt they were not dealt with—appropriately in the Meech Lake accord. That debate started, as members will recall, in 1987. We voted on the Meech Lake accord, as it then was, in this House on 29 June 1988. I am proud to say that I am one of the eight members who stood in his or her place and voted against the Meech Lake accord on 29 June 1988 because of the serious shortcomings I felt that document had. In fact, I felt so strongly about them that I wrote a minority report which was signed by myself and the member for



Nipissing, who is now the leader of our party. I would just like to repeat a few comments out of that minority report, because I think they are very, very relevant to the debate on the Constitution today. The issues that were overlooked then we hopefully will be addressing today.

"We begin our minority opinion by making it clear that we support the recommendations contained in the majority report. However, it is our view that they do not go far enough.

"We recognize that the recommendations contained within the report are not ideal. They are however acceptable to all members of the select committee and as such provide a vehicle through which the entire Legislature can indicate its concerns. The recommendations represent a first step towards addressing many of the concerns raised in testimony before the select committee.

"Our minority opinion is based on the response of the government members to the whole issue of charter rights. We believe the problem is a serious one, calling for more direct action on the part of the Ontario government than the recommendations in the majority report call for.

"The majority report clearly outlines most of the concerns which this committee heard on the impact of clauses 1 and 16 of the accord on the rights and freedoms within the Charter of Rights and Freedoms. We will not repeat those concerns here.

"We would, however, like to make special mention of testimony of the various women's groups who appeared before the committee. Their concern that the accord would jeopardize those rights they had fought so hard to protect in 1982 was well articulated and deeply felt. They presented strong arguments that clause 16, by protecting two sections of the charter from any impact of clause 1, could create a hierarchy of rights in which those two sections would be protected from any adverse effect while the remainder of the charter would be vulnerable.

"They pointed out that the Supreme Court of Canada, in the Bill 30 Reference Case, ruled that the charter could not be used to prevent a government from exercising powers granted in another section of the Constitution, even if the exercise of that power did result in a violation of rights guaranteed by the charter.

"The groups suggested possible laws which could be enacted under clause 1 to preserve and promote the fundamental characteristics of Canada and the distinct identity of Quebec and which could adversely affect rights guaranteed by the charter. These scenarios caused us to be concerned about the potential impact of the accord, not only on equality rights guaranteed under section 15 of the charter, but on all the rights covered in the charter.

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"While we recognize that the 11 first ministers and many legal experts who appeared before the committee believed that nothing in the accord will negatively affect charter rights, we are also aware of the vast amount of expert opinion presented to the committee which indicates the opposite.

"We believe that there exists at the very least ambiguity over the issue. We further believe that the government of Ontario should take immediate steps to resolve this am-

biguity. The issue of the impact of the accord on charter rights is an important one and, as such, the people of Ontario and Canada should not be left with a large constitutional question mark hanging over their heads.

"As a result, we proposed that the committee recommend that the government of Ontario refer the matter to the courts for an opinion. To effect this referral, we have put before the committee the following court reference drafted by Morris Manning, QC. We appreciate Mr Manning's non-partisan work on the reference and his willingness to take the time to assist the committee on this important issue.

"He has written an excellent reference. It clearly identifies all the major legal questions raised before this committee on the impact of the accord on charter rights and addresses the concerns about the nature of a reference raised by the Attorney General in his brief to the committee.

"Mr Manning framed the...reference in language similar in breadth to the questions in Reference re an Act to amend the Education Act (the Separate School Funding Case) (1986) and those in Reference re Amendment of the Constitution of Canada (the Patriation Reference) (1981)."

Unfortunately, if the province of Ontario had adopted that course of action back in 1988, I do not think that we would have had as much of a problem with the Meech Lake accord as we ultimately did, with the 11 first ministers, who absolutely refused to change one comma, one word in the document that they had agreed upon in June 1987.

Similarly, my colleague and I put forward—and I am not going to read from the report word for word—other resolutions about issues that we thought were important enough that they should be dealt with. They included aboriginal rights. We put forward a very succinct and direct resolution to amend the Constitution Amendment, 1987 to include the following clause, "the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada." That wording was not mine; it was the wording of the aboriginal delegations themselves.

We put forward a resolution similarly about the multicultural nature of this country that we call Canada, and it read as follows, "The recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that help shape Canadian society."

If we would have addressed those concerns—instead of saying "we," I mean the province of Ontario—back in 1988 and 1989, and if all 11 first ministers had not waited until the 11th hour to deal with an issue that was quite obvious to a lot of concerned people who appeared before the previous committee in the years 1987 and 1988, I do not think we would be standing here in this House today debating the Constitution and the constitutional dilemma that we find ourselves in.

I did not serve on the steering committee, so I perhaps should not say too much about this, but I was somewhat concerned about the fact that direction was given to a consultant firm with respect to an outreach program to encourage various groups to come before the committee. I guess I understand, because I understand the difficult time lines



that the committee was operating under and I understand that especially during the first two weeks, when the committee was travelling extensively throughout northwestern and northeastern Ontario, it was important that the public be given notice of what was going on. I do not have much quarrel with that, if any.

The difficulty I have is that by selectively picking out groups in society that we are going to reach out to to get to appear before the committee, we are effectively cutting off other groups. We are telling them, "You're not as important as native groups." My history on native rights speaks for itself, so I do not have to stand here and defend it in this House today, but that really is the message that they are indirectly, I think, giving to other people, and they are spending a considerable amount of taxpayers' dollars to do it.

I would certainly hope that when we come to whatever conclusion this committee comes to and whatever recommendations it makes, they will be debated, and voted upon, I might add, in a truly non-partisan and direct fashion in this House.

I was reading last evening with interest the results of the vote on 29 June 1988, when we voted on the first version of the Meech Lake accord presented to this Legislature. I read with interest because the names of the member for Rainy River and the member for York South appear voting in favour of the unamended, unaltered Meech Lake accord, and yet at the same time, members of that party—which I think, as I have already said, is appropriate—names like the member for Cambridge and the former member for Scarborough West, Mr Johnston, and the member for Nickel Belt appear among the eight voting against the Meech Lake accord. Mr Johnston, as I recall, delivered a particularly eloquent speech in the House that day about the concerns that he had about the Meech Lake accord, about women's groups, about native groups, about people in the territories being cut off and not being treated the same as other Canadians anywhere else and in different occupations, races or genders as other Canadians in society.

I think that if there is one thing this committee has heard, it is that indeed those concerns are still out there. Those people have grave concerns about what this country means to them, how this country treats them, whether they have the same rights as all other Canadians have.

I must say that I was very impressed by the sincerity and the feeling that many individuals and groups brought to the committee hearings in these deliberations. I think, if anything, it certainly restored my faith in tolerance. At least, the majority of the delegations that appeared before the committee certainly restored my faith in the level of tolerance that the average Ontarian has for his and her fellow person in society today. Surely if we all exude that type of goodwill and willingness to find a reasonable compromise to this issue, that is not an impossible task by any stretch of the imagination.

I would like, before I talk about the report itself, briefly to touch upon a couple of comments the member for York Centre made a few moments ago. He may well be correct that rejection of the Meech Lake accord was not a rejection of Quebec. I happen to believe that, but unfortunately not

everybody believes that, and unfortunately not everybody in the province of Quebec believes that, including perhaps, I dare say, the Premier of the province of Quebec and the leader of the official opposition in the province of Quebec; hence, I think, the problem that we have in the country today and some of the problems that have arisen or manifested themselves in the Allaire report.

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The other item that I would like to discuss that was commented upon by the member for York Centre is about the 1982 Constitution Act. As we know, Quebec was not a signatory, and I disagree with the member for York Centre, because I think that particular piece of legislation or that act was indeed a deal. It was a deal made among 10 first ministers. It was the best that they thought they could do at the time. But I have to say that the one major concession that was made, and I can understand the former Prime Minister of Canada being highly sensitive about this issue, but the reality is that the "notwithstanding" clause has caused this country no end of problems ever since.

It has caused a problem with respect to Quebec language laws.

It has caused, in my opinion, an overreaction by the rest of Canada in responding to the same, and I think that is very unfortunate, but I do not think you can divorce one from the other in this debate. I think they are all encompassed in the same problem, and I think we have to understand and direct our attention to what has gone on in the past and how we can avoid those mistakes, as I refer to them, in the future if we are going to have any hope of proceeding on an amicable and worthwhile basis to resolving these dilemmas.

Members will recall, no doubt, that after it looked like the initial Meech Lake accord was not going to fly, at a relatively belated date the idea of companion resolutions became more and more acceptable to the federal government and others, including the government of the day in the province of Ontario, and some of these concerns were quite similar to the minority report in this House but went a little further.

Perhaps the Premier of New Brunswick was the most eloquent in voicing what he thought could be a reasonable compromise to a very difficult situation by way of companion resolutions. He dealt with the issue of women's equality. He dealt with the issues of territories having the ability to become provinces. He dealt with the issue of the individuals living in the territories having the right to be appointed to the Senate or the Supreme Court of Canada. He dealt with the issue of promoting minority language rights across the country. He dealt with the issue in his own province of having the official bilingual status in New Brunswick recognized. He dealt with the issue of regional disparity. He wanted to deal with the issue of Senate reform, and he wanted to deal with the issue of aboriginal rights.

As a result of that, an amended version of the accord, or the proposed amendments to the Constitution of 1867, were debated in this House and that was the vote that took place in June 1990 here. It talked about including the territories. It talked about an amendment to the New Brunswick



act. It talked about participation of aboriginal peoples and their guaranteed participation in the future. It talked about eliminating the ambiguity over women's rights. It talked about in some sense—not as well as I would have liked, but in some sense—the issue of Senate reform.

How unfortunate it is that we waited until it was too late, as hindsight has it now, to deal with these issues. If those 11 first ministers, and they cover all political stripes, I believe, would not have been so dogmatic and so entrenched in their position in 1987 through to 1990, I think we could have resolved this issue. If we had seriously sat down and thought about dealing with the issue in the years 1988, 1989 and the beginning months of 1990, we would not be standing in this House today debating this. We could have found a compromise and an accommodation to all those groups that would have been satisfactory to them. I hope that we have all learned a lesson that we will not repeat out of that exercise.

I want to talk about the findings of the interim report of the committee. The first section in the committee report talks about values, and I think the values that were most prevalent were certainly expressed through tolerance and understanding. I think that most of the groups that appeared before the committee agreed that Quebec was different. They recognize the fact that the province of Quebec is different, and the majority of those groups say they want to do something about that. There may be a divergence of opinion as to how far one should go or what one should do to try to address that distinctiveness of the province of Quebec, but I think it is fair to say that the overwhelming majority want Canada to remain as it is in terms of the 10 provinces and the federal government, that they want to accommodate the province of Quebec in that country called Canada.

The next issue that the committee reported on was that of aboriginal peoples. They talked about the inclusion of aboriginal peoples in the discussion around constitutional reform and they talked about the issue of self-government of aboriginal peoples. They are both issues whose time is long overdue in this country and I think it is about time, as Canadians, that we address these very real concerns instead of just paying lipservice to them. I think we have to sit down and start in a very real sense to deal with these very difficult issues, these inequities that have been part of our system for all too long now.

I talked about the province of Quebec and how witnesses I think overwhelmingly want to accommodate the people of Quebec. I do not think anybody has the answer right now as to how we hope to achieve that, but I again would somewhat differ with my colleague from York Centre in that I do not think the Allaire report was a starting point for anything. I do not regard this as some kind of a political poker game where we will ask for 22 things hoping we will get these six or seven and the other side offers two or three. I think the time of that political poker-playing in this country is over and I think it is about time we started dealing very honestly and directly with these issues before us, because this is far too important an issue to be political about.

The French and English languages: I think indeed there has to be accommodation and recognition of minority language groups throughout the country, and it has been suggested by some participants or witnesses who appeared before the committee that perhaps individual provinces are the more appropriate level of government at which this issue should be decided. I think that perhaps we at least should consider that before we dismiss it out of hand. Just because it has not been the way that it has been done in the past does not mean that it should be cut off from future discussion.

We talk about the issue of multiculturalism and the recognition of perhaps an accommodation in the Canada clause. That is really all, I suppose, that the Premier of New Brunswick and others were trying to do when they tried to deal with companion resolutions in the Meech Lake accord document. It is exactly the same thing.

We certainly have a much different makeup in this country today than we had in 1867 and I think we have to recognize that fact. I think that is one thing that makes Canada the great nation that it is, that we are so tolerant of diversity and of differences among us, and I think it will be sad day indeed if we fail to recognize that fact in the Constitution of our country.

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Women's groups have addressed the committee, talking about concern about jeopardizing their rights, rights that they fought so hard for for many years that were included in the charter in 1982. They were very concerned that there was even the slightest or remotest of possibilities that those rights may be open to question as a result of the Meech Lake accord. I would implore the province not to forget those concerns of women's groups.

Our committee talked about the disabled. I am proud to say that I think I learned a great deal through the participation of the member for York East on this committee and the many concerned witnesses who appeared before our committee during its deliberations. That is an issue that perhaps has been overlooked in deliberations today and one that should not be overlooked any longer.

We talked about the economy. We talked about free trade. We talked about interprovincial trade, which I think is a lot more related to the Constitution than free trade, but that is just my opinion. I can understand the frustration of many of the witnesses who appeared before our committee, but I really do not think anything is going to be accomplished in our constitutional deliberations by bashing the Prime Minister or the federal Minister of Finance or the federal government. That is not going to help us solve the problem that we have before us today.

The issue of interprovincial trade is certainly an issue that I have long felt was an extremely inequitable and, I would go so far as to say, even somewhat ridiculous arrangement among the 10 provinces of Canada. To think that we are talking and trying to deal, especially in the world today—the world has become a much smaller place, yet we here in our own country of Canada cannot trade freely between boundaries of provinces. That is a somewhat ludicrous proposition, I would suggest, in the year 1991.



The role of federal and provincial governments was a large issue and will be a larger issue in these entire deliberations. I have already given members my thoughts on the Allaire report. Many suggestions were made before the committee and reiterated in the committee's report about perhaps giving provincial governments across the country the sole right to determine matters of language, culture, communications and, some suggest, immigration.

I think we heard, again from an overwhelming majority of people who appeared before the committee and groups, that they want a strong central government. They want a national government that can provide programs with national standards. I think we have to think about that before we talk about transferring 22 powers that are currently, somewhat at least, controlled by the federal government over to provincial governments, because I think if we took the Allaire report to its natural conclusion, we would not have much of a country left at all. What would the federal government really be doing besides being a tax-collecting body for 10 other governments?

I think we very much need to sit down and rethink provincial, municipal and federal powers. Many of the citizens out there who appeared before the committee are extremely frustrated with the overlapping, the waste, the duplication, in some cases the triplication, of efforts at various levels of government. I think that is an issue that we certainly have to address and deal with in a very forthright and direct manner, without individual governments here, there and everywhere being concerned about how much of their turf they are going to lose.

We had suggested to us on several occasions the idea of referenda in dealing with this constitutional issue. In fact, many witnesses went far beyond that, not just the constitutional issue, and talked about the use of a referendum or referenda on many issues. Now I do not think I would go that far, because it would become somewhat difficult, to say the least, for any government to try and operate on the basis of referenda, but I do think that we should not close the door on the idea of a national referendum if needed with respect to the Constitution of Canada.

That brings me to the issue of what our alternatives are, and I am not saying this in a critical sense at all. The Premier of the province has said that he wanted to wait until the interim report of the committee was introduced before he spoke on behalf of the province at any great length on the issue of constitutional reform and I respect that, but I do think that perhaps now we should be starting to address some of these issues in the province of Ontario.

I had the privilege of attending a luncheon of the Empire Club on 21 February of this year when the Honourable Frank McKenna, the first minister of New Brunswick, was the guest speaker. Although I and, I am sure, not all people would agree with most of his remarks, he made some very interesting and thought-provoking suggestions during the course of his remarks.

He talked about our facing constitutional uncertainty and our national focus fading, because in his opinion we do not have any defined national vision in this country. I am going to quote from him at various points and paraphrase what he said at other points.

He said at the outset of his remarks:

"As citizens of one of the greatest nations on earth, we must immediately stop our whining and complaining. Everybody is claiming alienation. Nobody really knows why and nobody knows what to do about it. We have become a nation of perpetual navel-gazers, with our natural confidence and optimism rapidly being replaced by gnawing anxiety."

I hate to say it, but a lot of those remarks hit home.

He goes on to say that we must get control of our constitutional situation, and the first thing he thinks is wrong, instead of dealing with the substantive issues, is to fix the process, because we cannot even agree upon that.

He refers to the current constitutional process as a straitjacket. He calls the current amending formula impossible to affect fundamental change.

"It is impossible for the Constitution to grow and respond as envisioned by the Fathers of Confederation. How do we fix the process? Our constitutional shores are littered with the wrecks of past efforts. Attempts were made to find a new amending formula in this country in 1927, 1935, 1950, 1960, 1961, 1964, 1968, 1969, 1970, 1971, 1975, 1976, 1978, 1979, 1980, 1981." Are those enough constitutional meetings for members? Here we are in 1991 and we are still talking about the same thing.

Initial success was achieved in 1964 with the Fulton-Favreau formula and again in 1971 with the Victoria amending formula. Both proposals unfortunately eventually failed.

Premier McKenna goes on to say, "It is time to resolve this issue once and for all," and he who perhaps is one who has most to lose because of the region of Canada that he comes from says that he is proposing the adoption of a regionally based amending formula to amend the Constitution. In other words, we do not need all 10 provinces. We need the province of Quebec, which he refers to as a region, the province of Ontario, and we need two out of four Atlantic Canada provinces representing at least 50% of their population and two out of four western provinces representing at least 50% of their population to amend the Constitution of the country. Worth while considering, I would suggest.

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He goes on to say that the issue of amending our Constitution has perplexed our nation for over 100 years and he thinks that it is about time that once and for all this issue was dealt with. He says that he is willing to consider the issue or the point or the method, I should say, of a national referendum on the amending formula to deal with the issue once and for all. He says that because he does not think that legally, constitutionally, there is probably any other way around the problem now that we have adopted an amending formula that requires unanimous consent of all provinces and the federal government, because he does not think we are ever going to get it.

He talks about the Fathers of Confederation in 1867 not being able ever to have envisioned the evolution of our country as it is in the world today. They could have never anticipated the sophisticated communications, aeronautics, the rising tide of environmental concerns or many other



issues that confront our nation. He goes on to say, in a rather bold statement, that the time has come to wipe the slate clean and redefine the distribution of powers and responsibilities between the government of Canada and the provinces.

This exercise should not be conducted for the exclusive benefit of Quebec. It must be conducted for the benefit of all Canadians. Quebec is not the only province with grievances. Confining the debate to Quebec's concerns will only serve to further infuriate other Canadians and patronize Quebecers which, he is sure, they do not want.

He says that he is receptive to a whole range of possibilities as to how we might accomplish this, ranging from founding convention, a series of task forces, to a national constituent assembly. But he says one thing is definitely certain: We need extensive and thorough public involvement to be required to effect any future constitutional change. That is why I come back again to the point I made at the outset about the time line being set for this committee.

He goes on to talk about dozens of areas where duplication of effort costs taxpayers money and undermines the main objective. He talks about dizzying layers of bureaucracy, overlapping programs, unemployment insurance, manpower training, workforce reintegration, literacy efforts, environmental legislation, regional economic development, research and development, communication and transportation.

He talks about administration of agriculture involving federal boards, provincial boards, marketing boards, agricultural associations, where in his words the efficiency of the industry is prejudiced.

Taxation is a nightmare—federal, provincial and municipal measures—and he goes on to say that surely common sense demands a rationalization of responsibility, whether Quebec continues to be a member of the Canadian constitutional family or not.

He goes on to talk about his national vision, which he thinks the country severely lacks, and he thinks of three things that we could do as Canadians to address the issue of lack of national vision. His number one priority is education. He goes on to say that Canada must aspire to have the highest quality of education in the world and that this is certainly not the situation in this country today. For example, 44.4% of our population does not have a grade 12 education in Canada today; 17.3% is not literate. By comparison, Japan has a literacy rate of 94%.

In Canada we spend an average of 163 days per year in school; in Japan the average is 243 days a year. Much of the world is closer to the Japanese average than to Canada's, he says, and by the time a Japanese student has completed grade 12 or the equivalent, he or she has been in school for two more years than a Canadian student.

The dropout rates for Canadian students is 30%. The dropout rate in the United States of America, which we have to criticize, is 12%. The dropout rate in Japan is 2%. Interestingly enough, he goes on to point out that in 1965 the dropout rates in Canada and Japan were the same.

The second area he thinks Canadians should be concerned about is that he proposes we should strive to become the most environmentally progressive country in the

world. He goes on to give many examples of what he thinks could be and should be done with respect to the Canadian environment, and he talks about the unbelievable amount of garbage that Canadians produce annually, some 30 million tons, representing more than one ton of garbage for every man, woman and child in the country. Only 10% of this amount is recycled.

The third and final element he deals with in his remarks—I presume the Treasurer will certainly not agree with his remarks, but I am going to put them out for thought in any event: "The third element to a national vision provides an extraordinary return on investment which is not immediate, which is not sexy and which is not popular. It is vital to every other issue that I have raised today," he says. "The final element that I am proposing in a national vision very simply is that we live within our means. I say unequivocally that a major part of our current constitutional dilemma stems from our fiscal situation. Borrowing money on current account is a fool's game. The leader of today enjoys the popularity of dispensing bought favours. The leader of tomorrow must devote all of his or her energies and ambition to paying the bills.

"It should now be painfully obvious to Canadians that we cannot trust current leaders"—and bear in mind that he is one of them—"with our long-term future. The leaders of the 1960s and 1970s have placed a first mortgage on the future of Canada. The leaders of the 1980s and 1990s are placing a second mortgage on the same asset. There is no equity left. We must once and for all put an end to the suffocating debt load that we are placing on the backs of our children. Governments must conduct themselves like private citizens—borrow, if necessary, for capital assets such as a new home, but pay as you go for current expenditures, like the groceries.

"Should we prove unable to exercise the leadership to accomplish this objective, I would support a legislative requirement for a balanced-budget current account by our governments. This should not be done on a single-year basis, because it would not allow us to respond to contingencies of extraordinary events such as recessions. It could, however, be based on a rolling average of the normal term of a government, which is four years. In other words, each government would be legislatively required to produce a four-year balanced budget. No leader could buy popularity today with the dollars of tomorrow."

I read those words into the record, because I think part of the frustration of a lot of witnesses who appeared before our committee about the economic quagmire we find ourselves in—they really were talking about what the Premier of New Brunswick is talking about. They would like to see elected representatives deal with these issues far more frankly and openly than has been the case in the past, and far more directly.

I look forward to the second stage of the committee deliberations. I think we will indeed be making a grave mistake in Ontario if we do not hear what other parts of the country are saying. It is all well and good for us here in Ontario to find out what Ontarians think, but surely that should only be the first step in the process. If we are operating in a vacuum, if we do not know what the people in



Prince Edward Island, Quebec, Manitoba, the Northwest Territories, British Columbia and all other regions, if we do not know what the other people of Canada are thinking, then this entire exercise is for naught. All it does is define what Ontario wants out of Confederation, and I do not think that has ever been nor should it be Ontario's role in Confederation.

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We have had a great tradition and history in this province, no matter what party was in power, of assuming a lead role in keeping this country together. I think it is vitally important that we continue to operate in that fashion, or indeed the country, let alone the Constitution, is doomed to failure.

If we as legislators can reflect the tolerance and the understanding that many of the people who appeared before our committee did, then I think we will go a long, long way indeed.

I wish to conclude my remarks there on this interim report. I look forward to dealing with these vital and difficult but very important issues in the future, and I look forward to dealing with them in the non-partisan atmosphere that has been the reputation not only of this committee but its predecessors.

**Hon Ms Churley:** I would like to start by thanking the member for Ottawa-Rideau for her kind remarks about me when she spoke last week. As she mentioned, we ended up being the only two women on the committee. At times it was a bit of a burden, because we wanted to make sure we did not miss one presentation, and between us we certainly did not. I congratulate her as well on her physical and mental strength for keeping up through the whole however many days it was of travel.

For me it was a unique opportunity, and I have been very honoured to sit and serve on this committee. At first I was a bit alarmed about the amount of travel involved, and in fact it was difficult to come home on weekends to our families and our work left behind. But the experience not only of flying on Bearskin Airlines—which was a lot of fun, actually—and the experience of hearing from so many people all over Ontario has, I can say, categorically changed me. I now have a better understanding of Ontario as a whole than I did before, and I certainly would recommend the experience to anybody. I am sorry I am not on the committee any more, but I will be keeping a close eye on the second stage.

I just want to say briefly that I am not sure what the member for Parry Sound was talking about when he said there were times when the non-partisan aspect of the committee was not working. I felt particularly good about this committee. Being new here and having experienced question period in this House, I have to tell members that those committee meetings were a joy. I felt we really worked well together and stayed away, on the whole, from partisan politics. There may have been a little federal bashing at times, and perhaps that is what the member was referring to.

The outreach of this committee was very important. The outreach worked in that it was a very short time

frame, and it was so important to this committee to get in not only the people who tend to like to come out and speak to committees, the kind of people who pay attention to what is going on. We wanted to make sure those people came out, but we also wanted to make sure that we reached out to a diverse group of people: women, aboriginals, labour. The chamber of commerce, I suppose, would have been out anyway. But we were looking at all kinds of groups, and we did get quite a cross-representation of people, and that was very helpful to us.

I guess I only have a few minutes. I would like to say to the member for Parry Sound that in a non-partisan way we have split this debate equally between three parties, and I only have a few minutes today for that reason, so that all parties can get a fair representation in speaking.

I could speak about asymmetrical federalism or rebalancing federalism or decentralized federalism or Quebec secession and all of these things. I do have some views on them. I have learned a lot. I still certainly do not have the answers. I do not think anybody does yet.

What I would like to do today is speak from my heart a little. You can see that here in front of my microphone are two little paddles. Our first day in Kenora, we were treated at our very first meeting to an aboriginal traditional ceremony: drumming, prayers, and we all got to touch or smoke the peace pipe afterwards. I think that was a very fitting way to start. It got us into a very good spirit of the thing. Afterwards we were given these paddles by the Ojibway Tribal Family Services, which gave a very good presentation about self-government and aboriginal rights and gave us those paddles to help us on our very difficult journey. I carried them with me throughout.

As has been said before—I do not need to go into it again—the need and the desire by all Ontarians to have all levels of government move ahead on aboriginal rights is there. The rhetoric, including my own government's and other governments', has to stop, including the people who will be affected by aboriginal rights, land claims, etc. The rhetoric is not enough any more. We have to move forward.

My colleague from Ottawa spoke quite eloquently and well and quoted from a lot of women who presented to us. I just want to reiterate what many people have said, that women were left out of the Meech process, women were going to be left out of the charter. Women have made it very clear that they want to be part of the process and have a very important role to play.

The other issue that was mentioned a few times was the environment, our natural environment, and the fact that our environment is something that we as Canadians all hold in common and our environment is in trouble. Not only do we have a specific local jurisdiction over the environment, but we all have, Ontario as well as the rest of Canada, an international responsibility to the environment. There have been recommendations, and I would like to see it explored further by the committee, that the environment and how we deal with environmental assessments and policy around the environment are taken into consideration.

I only have another minute. I am sorry that some of my colleagues could not be here today to hear this, but I would



e remiss if I did not mention Labrador, because Labrador became a bit of an issue when we were up north. I come from Labrador, I grew up in Labrador, and I could not resist at times forgetting that I represented Ontario when I was up north, because it made me very nostalgic and I referred to it quite a bit.

Coming from Newfoundland and Labrador, I feel in a bit of a unique position. I was born, in fact, not in Canada; I was born the year before Newfoundland became part of Canada. I was kissed, as I said before in this House, by the only living Father of Confederation, and I grew up hearing from my grandmother about what it was like to become part of Canada and how important it is.

Speaking from the heart, I am very proud to be a Canadian. I am very worried about the present situation we are in, but I am very optimistic because of the huge number of people who came out to speak to us and the number of people who want this to be an open, ongoing process. I feel that is the key to these problems. It is a very difficult situation we are in, but people have spoken loudly and clearly. They want to be involved. I believe the process right now is a fundamental key for us, and other people have spoken to that, that we must keep people in the process. I am very pleased to see that the second stage of the committee will do that.

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**Mr Daigeler:** Although I am not a member of Ontario's select committee on Confederation, I wish to make a few comments as we receive the committee's report. The subject is simply too important not to put a few thoughts on the record. My remarks today will restate some of the points that I made during our Meech Lake accord debate, but I will also touch on some new developments that have arisen since then.

Let me begin by making a few comments on the hearing process itself. Frankly, I question the usefulness of the exercise we have just witnessed. True enough, Ontarians should have many opportunities to speak their minds about Canada's future, yet we cannot just talk to each other. If we are interested in Quebec remaining a part of Canada, we must talk to Quebecers. If we want to find a more workable political framework for our aspirations as a country, we must find ways to let people from across the country talk to each other. For obvious reasons, the need is specially urgent for dialogue with Quebecers.

For the most part, I disagree with Premier Clyde Wells's constitutional position. Nevertheless, I share his criticism of provincial hearings to date. At a federal fundraising dinner in my riding two weeks ago, he explained why Newfoundland will not set up its own Confederation committee. "A provincial committee will only bring out the interests of one province," he said, and I agree. We need a discussion mechanism where people from different parts of the country can hear and debate each other.

Why, I ask, has Ontario's Premier failed, at least so far, to promote interprovincial discussions? Today is not the first time that I am arguing for encounters beyond the narrow confines of our own province. Soon after I was first elected in 1987, I sponsored a motion during private

members' hour calling for exchanges and partnerships between different groups in Ontario and Quebec. The motion was passed all right, but unfortunately nothing much happened. I guess—and the backbench members on the government side will soon realize this—this is the fate for most backbench ideas. To some extent, though, I blame myself. If you are convinced of an idea, you must keep pushing.

Post-war Europe has found exchange programs an excellent means for strengthening the bonds between nations. Anyone who has ever taken part in international visits knows how useful they are for learning about other cultures and their unique qualities. I myself was fortunate enough to have spent time in several European countries. From these stays I have gained a deep appreciation for other peoples and their different but legitimate aspirations.

Madam Speaker, if you permit me, as an aside I would like to mention that I learned about other cultures in very practical and beneficial terms. In Switzerland I met a charming Canadian girl who brought me back to Canada as her husband.

**Mr Grandmaître:** Saved. You were saved.

**Mr Daigeler:** Thank you.

True, exchange programs probably can no longer impact on the current debate about Confederation, but in my opinion it is never too late to help Quebecers, Ontarians and other Canadians learn more about each other, whatever the outcome of the current discussions. Such contact will stymie a further deterioration of what is already a very strained relationship between different regions of the country.

What about the Spicer commission? Does it not accomplish my objective? I do not believe so, for it too has only people from similar parts of the country talking to each other. During the commission's first weeks of hearings, there was an attempt to have people from Quebec talk simultaneously with people from other provinces. Unfortunately, modern technology did not seem sophisticated enough yet to permit such exchanges.

With enough political will we should be able to let at least Quebecers and Ontarians talk to each other. After all, we are neighbours. To begin with, we should pursue discussions with our own parliamentary colleagues from Quebec's National Assembly, an idea that I have been promoting for some time. I was therefore very pleased when I heard the Premier argue for the same concept during the recent Speaker's dinner for MPPs.

When I talk about meetings between politicians, I include encounters in my own area of Ottawa-Carleton. Can you imagine that in the nation's capital there are no structures to bring together local or provincial leaders from both provinces? We all live in splendid isolation. Why should we be surprised then that we fail to understand each other?

My first venture into the exchange field was not successful, but I have not given up yet. On 11 April my policy committee and I are holding a discussion forum for Nepean people to let them share their feelings and thoughts on Canada's future. As a basis for discussion, we will use the questions put forward in the select



committee's working paper. Hopefully this first effort at debate will lead to further meetings in my riding, meetings that will eventually include visitors from Quebec.

Opinions about Canada and Quebec's role in it are strongly held in my riding. Many Nepean residents have little patience for what they perceive as Quebec's unreasonable demands. The following quote from a recent constituent's letter may serve as an example: "Canada will do very well on its own, once there is not one Quebec MP in our House of Commons. As long as there is one, Canadian priorities will be skewed and misinterpreted." Further on, my constituent writes: "I suggest that Ontario MPPs increase efforts to co-operate with the west, especially Alberta.... Quebec at this point is irrelevant. Nothing Ontario can do will affect what they decide to do."

As I see it, we cannot be satisfied with such an outlook. We have a responsibility towards past generations of Canadians and, may I add, towards the international community, to make another valiant effort at reform. Regrettably, ethnic strife is on the increase all over the world. As Canadians, we should show how different cultures can live together in mutual respect and for their mutual benefit. If Canada, a country blessed with peace and prosperity, cannot find political formulas that guarantee equal chances for different cultures, how can we hope for harmony in other countries where the economic and historical circumstances are far less propitious?

As much as I rejoice in the new-found freedoms in eastern Europe, I am weary about the resurgent tensions between nationalities. Ethnic conflict is a volatile mix that has brought great harm to many people in this century. As Canadians, we should take pride in showing the world how different cultures can respect each other, achieve their distinct goals and, at the same time, benefit from the economic, social and other advantages of a larger political unit.

One avenue to protect the group's specific interests of minorities is to include a certain proportion of minority representatives in the leadership of a country's major institutions. During my student days in Switzerland I came to appreciate the usefulness of this political mechanism. The Swiss not only guarantee minority groups a certain membership percentage in all major institutions; they also rotate the top leadership among the various ethnic groups and cantons. This system ensures that no culture or canton is left out for long. Its time will come to shape society's structure.

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To some extent, this principle is already operational in Canada. However, in my opinion, these arrangements of convenience should be formalized and extended to as many institutions as possible. No doubt, recognizing the distinctiveness of Canada's English, French and native founding peoples implies much greater constitutional change.

During the March break, I read a most stimulating though rather heady book by the University of Toronto philosophy professor, Will Kymlicka. In his book *Liberalism, Community and Culture*, Professor Kymlicka argues for entrenched minority rights on the very basis of fairness

and equality. He argues that equal treatment for all citizens of a country can go hand in hand with special status for minority groups. In a multi-ethnic country, he says, special conditions are needed to ensure the survival of its different cultures.

I feel Kymlicka's argument is cogent and timely for our current constitutional debate. I agree that uniform treatment of all citizens in our multi-ethnic society eventually leads to cultural imperialism by one group. What may seem at first glance as privilege and preference is really none other than equal growth conditions for a cultural community. I recommend Professor Kymlicka's book as an excellent in-depth analysis of the vexing problem of how minority rights can coexist with liberal principles of equality.

My comments today are obviously not the final word which I wish to utter on this question. There will be other opportunities to develop my ideas further.

Whatever constitutional arrangement we arrive at in Canada, we will be watched closely by the international community. As Canadians, let us search for peace and prosperity among all cultures and nationalities. Let us be creative in our search and not give up in the face of seemingly insurmountable odds. Our children will be thankful, and nations from around the world will appreciate our efforts. Let us find political structures that make different cultures feel at home in one country called Canada.

**Mrs Cunningham:** It has been brought to my attention, I think, that we probably have less than four minutes with regard to our speaking order and so we will waive our turn and the member from Mississauga will begin tomorrow.

**The Acting Speaker (Mr Villeneuve):** Agreed.

**Mr F. Wilson:** I thank you, Mr Speaker, for this opportunity to speak on this report, into which I have put much time, effort and emotion these last few weeks. Because of the short time I have been allowed, I will confine my time to the input to that report. While I have the opportunity, though, I wish to pay tribute to the chairman, the women and men colleagues in this place who were and are a part of that committee that presented this report. It has been both a pleasure and an honour to have served with them and to continue to serve with them in the task before us.

The people of Ontario placed their trust in our committee to consider their ideas and their hopes for a better Ontario and to ensure they never again will be shut out from participation in the constitutional process. By so doing, they charged our committee with the task of preparing Ontario to participate in what may be our most precarious and yet courageous time in the long history of our country.

When we left the confines of this place to meet with the people of Ontario, we were equipped only with our varied life experiences, our intelligence and a certain amount of good looks and charm. We returned over a month later, haggard, bedraggled, near physical and mental exhaustion, but more important, we returned enlightened and informed of what Ontario wants, what it fears and what are its frustrations.



All that enlightenment has gone into the document before members today. It is the culmination of our efforts, an amalgamation of the hopes and the determination of the people to live side by side in dignity and respect.

The document is not the definitive précis on Confederation. It is a guideline of what this province wants for itself and for Canada. It demonstrates the determination of the people of Ontario to achieve economic and cultural equality, equality in education and equality before Parliament, no more and above all no less.

The simple format of this document does not describe the power and the energy placed within it. It is a combination of the hopes and dreams of our native sisters and brothers and their determination to live with us in dignity and respect and equality. It contains the dreams and aspirations of the Franco-Ontarians to that same respect and that same dignity, and the same wish to serve and to enjoy Ontario. It tells of the courage, intelligence and determination of the disabled of this province and by extension of Canada, to assume their proper place in education, in business and in the workplace. This we owe them if society is what we believe it to be.

In this document, women speak of the pride in their gains these last decades, of the fragility of those gains and the inconsistency of their application, of the fear that they told that it could all be swept away, of their demand to live, work, dream and succeed as equal partners in all things Ontario and all things Canadian, and to do that with dignity and respect and to do so without fear.

In addition, we heard from the vast array of multicultural organizations, people from different cultural and linguistic backgrounds operating in business, labour and education and many other fields, all with one common theme: that the Canada and the Ontario they traded their homelands for, the Canada and Ontario they dreamed about and told their children of, this their adopted land must be preserved. Each individual, each group that came before us pledged what they had, what they could give to this task of preservation.

Last—and I have deliberately left this for last—we heard from those many Ontarians frustrated and virtually disfranchised by our political process, those Ontarians whose forefathers' efforts and whose own efforts have made the Ontario which allows for such diversity and which allows the entire mosaic of our province to exist. Those people, angry, frustrated and shown so little understanding, ignored and disdained by those who should have known better, said to us: "Save our country. Save Ontario."

Lest members misunderstand, and there is absolutely no place for misunderstanding here, Ontario is at a crossroads. We have perhaps one final chance to make the right choice, and there is no certainty that once we embark upon our chosen path, we will not be confronted by another crossroads and perhaps another one after that. For once, we must be honest and admit we do not have all the answers. No person or one group has all the answers. We have seen the result of a process that thought it had all the answers. But I have learned, as I hope many members have, when one does not have all the answers, one must

rely upon determination, courage, intelligence, pride and confidence to carry one through.

Therefore, I charge each of us with the following duties: To polish our pride in Ontario and Canada and shake off despair and cynicism; to sharpen our intelligence and our thoughtfulness and seek knowledge from each other; to forestall panic and focus all of our energies on this task to preserve our nation; to roll them all together into dedication and help us lead the people of Ontario upon the chosen path that, wherever else it leads, leads into our future.

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**Mrs Sullivan:** Just as we continue, I wonder if there is agreement that we could share the time that the Progressive Conservative Party has made available between the other two parties.

**The Acting Speaker:** There is agreement.

**Mrs Sullivan:** I think that as we returned to the Legislature this session many of us had the opportunity to speak with members who sat on the select committee on Ontario in Confederation and to talk to them personally and informally about their reactions and responses to the weeks of hearings and the hundreds of presentations which were part of their process. I think each member has described the emotion, the passion that witnesses transmitted to them in relation to the questions that were before them and also the sense that Canada itself is in jeopardy.

Witnesses talked with sincerity about the urgency with which we must come to terms with a new crisis in national unity and protecting the underlying values as Canadians in our democratic state. They talked about feeling disfranchised, and many other members who participated in this debate so far have addressed that question. They talked about feeling left out of recent constitutional discussions.

Yet as I looked at the report, I saw an apparent dichotomy in the views expressed, because there was also a demand that governments show leadership in identifying and promoting a national vision of Canada. There was certainly a sense through the report that change and accommodation and adjustment are necessary in our national institutions, in the division of constitutional powers and in the way that we ensure that regional interests are taken into account in national decision-making, so that all provinces can have confidence that legislation that emanates from the federal House is accountable to local needs.

It seems to me that there was a vitality in the debate about the underlying values that people see as Canadian and worth protecting: equality and equity, social justice, the recognition of fundamental rights and freedoms, language rights, and that diversity rather than uniformity was to be celebrated. It struck me that the values that people wanted to protect and enhance were those very values which were enshrined in our 1982 Constitution and the Charter of Rights and Freedoms, which was entrenched in that document, the basic principles of a liberal and democratic state that could not be unilaterally altered by either the federal House or an individual provincial Legislature.

The desire to maintain those values is clearly not limited to Ontario's provincial borders. The Spicer commission, also conducting hearings, is hearing Canadian after



Canadian from other provinces enunciate those same views, and so those common objectives clearly must be safeguarded in the course of any constitutional change in this country and reflected in our laws and our institutions. People will not accept anything less.

The development of the Canadian Constitution has evolved over 125 years, by formal amendment, by custom, by legal interpretation, and as it has evolved, there has been an understanding that any change which comes must last for a long time.

The sense of permanence is necessary since legal authority derives from the constitutional base. What is not clear is whether we are ready to say today, as Ontarians or Canadians, what constitutional arrangements we want to put into place for the next 25 or 30 years. There may be a consensus for change, but to date there is a clear lack of consensus on what change, what kind of a new vision of our country will replace the current and how the consequences of change would be as valid three generations from now as they are today.

The aftermath of the Meech Lake debate showed that in Ontario there is a conception of Canada with a strong central government, but witnesses before the Ontario committee indicated "a sincere desire that Quebec should remain within Canada." The committee was told that Quebec is a crucial part of our Canadian identity. They insist that efforts should be made to reach an accommodation with Quebec, although the nature of that accommodation was much less clear. If Quebec gets more jurisdictional powers, other provinces should be treated equally, they said, but there was not a substantive opposition to changing powers of decision-making or service delivery.

Ontarians as individuals seemed to be speaking for Quebec in Confederation with their hearts. We must ask, who is speaking for federalism in Quebec?

The report which was prepared by Jean Allaire for the Quebec Liberal Party has been best described by the *Globe and Mail's* Jeffrey Simpson as confederalist, seeking political sovereignty with limited institutional arrangements with the rest of Canada. It calls for the elimination of the Senate, an end to the Supreme Court's jurisdiction in Quebec and a requirement that equalization payments shall be paid by the wealthier provinces to the poorer ones, including Quebec, even under a new formula. As a supposed federal document, Jeff Simpson concludes that it makes neither political nor economic sense.

From what I have heard from my constituents and others, the Allaire formula for constitutional change is not seen at this time as acceptable in Ontario, in whole or even in a major part. It is time for us to say so and to define not how we feel about Canada but how we want to define our nationhood as we move to the year 2000 and beyond. The Premier must speak. The Premier must articulate a substantive position on where the government stands today and where it is prepared to go.

In another debate, some 25 years ago, Pierre Trudeau suggested—and I would just like to quote from a position paper that he wrote in 1967 on a different constitutional question—that he saw "an excessive preoccupation with the future of language that has made certain people forget

the future of the man who is speaking it." What he was discussing at that time is that a debate on constitutional issues can mask real problems whose solutions lie not in changes in constitutional arrangements but changes in political action.

We cannot change our geography, but political leaders must take stock of certain facts about the fabric of our nation. For politicians, there is a responsibility to analyse the real relationships between the forces that unite or divide us. People in Ontario, Quebec and Alberta must understand that constitutional change will not solve problems that are substantially political, whether economic, social or cultural.

We live in a time where continental and international forces ignore national constitutions and borders, where the deployment of capital, technological innovation and productivity will matter more to the individual than the most finely crafted legal phraseology in a constitutional document.

Our economy must be fundamentally sound to ensure a strong and progressive social policy. The action that will ensure that is political. Our social structures and programs, whether education, health care, pension plans, social services, and the political decisions which add to, maintain or subvert today's standards, matter very much to Canadians. The constitutional words speak to a fair distribution of wealth, but the action that will ensure that is political.

The select committee on Ontario in Confederation, in the next phase of its work, must further define where constitutional action is required to give effect to people's aspirations and where political action in fact is the answer. It must explore further, and with greater definition, the nature of change that people see as necessary in our institutions, and the timetables and the mechanics for that change, to meet the needs not only of Ontarians but of people in western provinces, in the Atlantic provinces and indeed even in Quebec.

It must also explore how people in Ontario feel about a Canada without Quebec or if people in Ontario would accept a Quebec on substantially different terms than those shared by other provinces.

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What will we tolerate as Canadians in forging new relationships? Where do we say yes and where do we say no? What will be the cost in social and economic terms of a structural change that is brought about by Quebec saying no to Canada? And what political actions must be taken over and above any constitutional change to forge a new and dynamic nationhood that represents, with equity and equality, all people in Canada?

The committee has a daunting task. I wish its members well as they proceed into the next phase of their process.

**Mr Winninger:** I would also congratulate the Chair of the select committee on the future of Ontario in Confederation, the member for Dovercourt, and my fellow members of the committee, who served so admirably over the last two months into the mandate of this committee. I would also commend the members of the committee on the spirit of camaraderie and non-partisanship displayed throughout our hearings.



Clearly the process of change in Canada has been exceedingly complex and fraught with perils for those brave souls who take the leadership in federal renewal. After a number of failed attempts to patriate our Constitution and refine an amending formula, Pierre Trudeau succeeded in 1982 in patriating our Constitution and entrenching a Charter of Rights. This, alas, was not an arrangement in which Quebec could be a partner, due to its unique cultural and linguistic needs.

The Meech Lake agreement represented, as it were, a flawed attempt to bring Quebec back into the fold. Numerous reasons have been cited for the failure of the Meech Lake process. Whatever the reasons, Meech Lake failed and once again our leaders must meet to discuss change that can accommodate Quebec's aspirations while at the same time meeting the needs of other provinces. The select committee was mandated last December by our Premier to explore the economic and social needs of the people of Ontario and what model of Confederation can best meet those needs.

I was privileged to serve on the select committee with other members of all parties, and I can say in all honesty that the select committee has offered me an extraordinary opportunity to hear from ordinary people across the province from all sectors of society: to name but a few, the young, the old, working-class people, professionals, women, natives, disabled and multicultural groups. They have sung to us. They have recited lyrical poems. They have challenged us. They have cajoled us. They have reasoned with us. They have shared their hospitality and their visions with us. A very rich tapestry has been woven of human emotion and thought, and those people who have shared with us their innermost visions and dreams and feelings for Ontario and Canada cannot be forgotten.

Discussion was facilitated through a public discussion paper entitled *Changing for the Better: An Invitation to Talk About a New Canada*. This paper acknowledged that Canada is at a crossroads and to obtain a consensus on the emerging issues government must return to the people for guidance. The paper asks that citizens of Ontario recognize the common values that bind us together in the midst of diversity. Other issues the people of Ontario were asked to come to grips with involved our economy, the respective roles of federal and provincial governments and justice for Canada's aboriginal peoples. Further, Ontarians were asked to comment on the role of the English and French languages in Canada, Quebec's future and regional identity. Some delegations that appeared before us questioned why the issue of women was not delineated separately in the discussion paper.

There has been an overwhelming response by the people of Ontario to this consultation process. Unfortunately, there were many individuals and groups that could not be heard in the course of our public discussions. However, they were invited to submit papers and to participate in our future consideration of Ontario in Canada.

To facilitate open and frank discussions, the select committee chose to meet in schools, senior citizens' centres, Legion halls and community halls. The committee at times broke into subgroups to visit with specific groups on

behalf of women, the disabled, the francophone community, to name but a few.

Generally, people were very pleased that this government wanted to hear what they had to say, and given the time constraints, I will not repeat some of the observations already well expressed by other members of the committee. The member for Dovercourt has spoken on multiculturalism, the member for Ottawa-Rideau and the member for Riverdale on women's rights, the member for Cochrane South on francophone aspirations and the member for York East on the disabled. I would like to say a few specific words, however, about aboriginal people.

There is a consensus that our first nations need to be heard. They have much to teach us about progressive models of government, conservation of the environment and the relevance of values such as harmony, respect and self-reliance. I think the vast popularity of the movie *Dances with Wolves*, which I understand is up for an Oscar for best picture tonight at the Academy Awards, is a testament to the widespread interest there is in native traditions and culture.

Native people want to be full participants in the process of constitutional renewal, not excluded as they were during the Meech Lake process. People have spoken to us of the concept of two founding nations, English and French. However, members of the first nation have said that they were never lost, so how could they be found?

Many delegations have asked that native people be given self-government and have their land claims settled more expeditiously. There is a collective sense of guilt concerning the victimization of native peoples in the past and the desire to ensure that the quality of life of our native peoples be drastically improved. This extends to the building of economic infrastructure so that our indigenous people will not be so dependent on federal and provincial assistance. Further, natives off reserves have specific needs that demand attention. In short, native people need to gain a broader measure of control over their lives, which will hopefully solve some of their social ills, including a very high rate of suicide, infant mortality, family violence, drug and alcohol abuse, to mention a few.

Economic justice looms large in the concern of Ontarians, and the adverse effect of the free trade agreement, which the federal government is seeking to extend to Mexico, has threatened job security. Many question the existence of interprovincial trade barriers while Canada continues to negotiate free trade on the North American continent. Some would prefer to see stronger trading links with Europe as it moves towards economic unity in the 1990s. Our ever-increasing multicultural mix can assist us in pursuing these trading links with other nations.

The dismantling of our national institutions, such as the CBC and VIA Rail, and the privatization of Canada Post have caused grave concern for the unity of our country. At a time of recession when people are acutely aware of unemployment and poverty, there is a consensus that issues of economic justice must be brought to the bargaining table, including the right to housing, employment and a minimum income entrenched in our Constitution. These economic issues will be explored further.



Attention has emerged about the need for a strong federal government to steer the economy, ensure national standards, shared-cost programs and equalization of opportunity for the regions. Counterbalanced is the need for greater autonomy for the provinces, including Quebec, in response to regional differences. While some people feel that Quebec should have special powers to protect its language and culture, what some have called an asymmetrical federalism, others believe that all provinces should enjoy such powers. Whatever may be the constitutional arrangements following a restructuring of powers, there is a will that all levels of government co-operate more fully with each other and be more fully accountable to the people.

On a constaté le désir que le Québec continue de faire partie du Canada. C'est qu'il faut attendre un arrangement avec le Québec. En même temps, le Québec est une partie cruciale de l'identité canadienne et aussi une communauté distincte au sein de la fédération canadienne.

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Nous sommes liés avec le Québec par des liens historiques, géographiques, linguistiques et commerciaux. Nous croyons que la séparation du Québec aurait des conséquences sérieuses tant pour le Québec que pour l'Ontario et le reste du Canada. Nous souhaitons fortement que le Canada demeure uni mais il y a lieu d'apporter des changements si l'on veut que le Québec continue à être un partenaire de la Confédération.

As we stand at the crossroads to chart the future of our province and nation, we must be ever mindful that public participation in the process of national renewal is essential. Never again must executive federalism be played out behind closed doors in a manner that shuts out the public. Natives, women, disabled and multicultural groups must play more of a role in the constitutional changes that will affect them. Whether we have a more representative Parliament, a reformed Senate, a Council of Canadian Economic Union, as some have suggested, once there has been a restructuring of our government institutions, they must remain open to public scrutiny.

Many people have expressed a view that Ontario, being the wealthiest, the most populous and the most proximate province to Quebec, must take a leadership role in future negotiations.

The call for the government of Ontario to assume a leadership role in constitutional talks has met a vigorous response from our Premier. He has called for the first ministers to meet to discuss constitutional reform to ensure the survival of Canada. The process should include Quebec. The public must have a sense of participation as well. The needs of our first nations and the various regions of Canada will have to be respected.

We know that change has been sought by the Allaire commission. While presently divided, the Bélanger-Campeau commission will soon be rendering its report. We have yet to hear from the Spicer committee, as well as a multitude of other provincial constitutional committees. Obviously there will have to be a meaningful dialogue between these committees to carve out our collective future. This dialogue will continue, and has to continue.

At the same time, I have asked the constituents in my riding of London South to participate in the second stage of the select committee's investigation of the future of Ontario in Confederation. I trust that the constituents of other ridings across Ontario will continue similarly to make their views known as we explore the different alternatives for our mutual future. We will continue to be good listeners and eagerly anticipate what the public will have to say.

**Mr Grandmaitre:** First, I would like to congratulate the chairman. Let's call it the Silipo report. I thought it was a great report. Personally, I did not think that the member for Dovercourt's committee could accomplish so much in so little time. I did not really believe that such a report could come before us after three, four, five weeks, and I think some of the recommendations in the member for Dovercourt's report should accommodate every Ontarian. Will it satisfy the needs of all Canadians? That is another thing, another debate. We will have to wait for other commissions to submit their reports.

Mr Speaker, I know that you will not hear partisan speeches in this House on this debate, for the simple reason that every member of this House believes that we Ontarians are ready and willing to negotiate with not only the province of Quebec but every province in Canada. I will use some of the quotes taken from the report: "To promote dialogue with Quebec in order to identify and respond to the desires and aspirations of Quebec."

I repeat this is not a partisan speech, but I must criticize the present government for not showing the leadership that other premiers in this province have shown in the past. I know that the Premier has promised us to deliver a speech in this House on Thursday and also another one on 5 April in Ottawa. But this province is used to leadership when it comes to constitutional debates, and we have not heard from the Premier of Ontario as of today.

Another quote: "Ontario is in a unique position" to play "a leadership role in negotiating a renewed Canada." I remember the great speeches from the Premier of this province in this House when he was in the opposition. He had all the answers to the Meech Lake debates, closed door debates; never attended one of these meetings, but he had all the answers. I find it difficult to stand up and congratulate a good leader when it comes to constitutional debates, because I have heard the Premier pronounce some of the best constitutional speeches in this House, and yet he has been mute, has not said a word.

Ontarians are waiting for his leadership. He should tell us what he expects to do for us. I respect the consultation that has been going on. The Premier has been saying, "I want to consult my people before I go public." The Premier had all kinds of ideas for the last 10 years on constitutional reform, and he had to wait for the report of the member for Dovercourt. I think it was a stalling tactic.

Also, in the last six or six and a half months the Premier has not travelled across Canada. I know he has been busy keeping an eye on his own cabinet, but he should have visited every province in Canada, at least to find out where it stood on constitutional changes, because I think he can and will bring his own views. Again, I am not



ying to be partisan or critical, but I must say—it is difficult, but I must say it—he has not shown leadership.

Another quote: "Ontario must act as a mediator between the regions of Ontario." The committee did consult with the different regions or different parts of Ontario, but not the Premier. The Premier did not want to be exposed to maybe some criticisms. I find it very difficult, because when I introduced my Bill 8 in this House, one of the greatest supporters of Bill 8 was the Premier. I know that he believes in the founding nations, natives, English- and French-speaking people of this province. But again, the Premier has chosen to be quiet on the issue. I would like to know why, after delivering all these great speeches, again we have not heard from him. That was then, I suppose, and this is now.

So I am disappointed, but I am pleased that the Silipout report will now resolve some of our differences and I am pleased that most of the Ontarians who appeared before the committee expressed their need for changes to recognize the native people, to recognize English-speaking people, Franco-Ontarians, women, disabled people. All Ontarians should be reflected in a new Constitution.

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For too long we took native people for granted in this province. I remember when I was Minister of Municipal Affairs I had the opportunity to talk about self-government for native people. I believed it then and I still believe today that native people should have their own government.

Mr Speaker, I think it is very important that this province, that your government, the NDP government, shows leadership, for the simple reason that we do not have a strong central government at the present time. Every province in Canada is doing its thing, and I think we need the leadership of the Ontario provincial government to tell the central government, "This is what we want," after consultation with the other premiers.

So if we believe that the future generation should enjoy Canada the way we have enjoyed Canada, because I think we all benefited from being Canadians, I think the future of our children is at stake and I think it is time that this government, the government that had all the answers to the constitutional problems in this province, speak up for Ontarians.

**Hon Mr Allen:** This country and this province face probably the most serious moment in their history since the debates that were begun to resolve the Confederation question in the middle of the 1860s. Quite frankly, in response to the previous speaker and in defence of my own leader, I want to say that perhaps it is wise, when there are so many voices saying so many things, so many reports being written and made, that someone perhaps holds it back a bit and does not get so much into the fray that he gets overcommitted, that too many messages go out that are too firm, before we really see what the ultimate lay of the landscape is going to be.

The Premier has spoken in general terms recently about the latest phase of constitutional discussion in this country. As the previous speaker said, he was very eloquent about the proportions of the issue that confront this

country constitutionally speaking. He has not in that respect changed one iota. His insight remains keen, his intent to speak and to act on behalf of this province is clear and he has taken a very deliberate and sensible course. That course is to follow the advice that everybody I have heard speak has commended, and that is the course of consulting and understanding what this province really wants.

This province has not been used to asking itself what, as a province, it wants out of Confederation because it has always, throughout its history, identified itself with Ottawa and with the federal enterprise. Ontario has been "Ontario and nation" at one and the same time in its own eyes. It is time for us to step back from that too and ask ourselves a critical question as to what is the specific need of Ontario in Confederation before we can then take that step forward and address the whole issue of the whole country.

It would be very easy to say why Ontario wants and needs national unity, Ontario wants and needs a national economy, but those are pretty vague things. One can get a lot of rhetoric going about national unity concerns, but what does it mean in terms of the reality of Ontario's need and what does it mean in terms of how that intersects with the whole context of the needs of other provinces and of the need for a nation that will hold the province of Quebec in the confines of a national structure? That was, in the course of all earlier debate, a very difficult question. It remained a difficult issue all the way through the Meech Lake debate.

It remains a very difficult issue today, and I submit to members that it is more difficult now, when time is running out, than it has ever been, because the agenda that is resulting for all of us is a much more complex one. Meech Lake confronted the fact that there were some significant groups in our society that felt their needs had not been addressed. In the course of the consultations that committees and commissions have undertaken, it is quite clear that the input and the range of involvement has expanded, that the numbers of groups that feel themselves attached to this enterprise and want something out of it have grown, and therefore the issue becomes even more complex and more difficult. I do not think any of us should fool ourselves that that is not the case.

What have we got? We have got something like 15 months by the calendars that are set ticking by the Bélanger-Campeau and Allaire reports and the decision of the Liberal Party in Quebec to accept the Allaire commission report.

I just simply want to say in conclusion—because there is not a lot of time to talk about this big issue; we are approaching 6 o'clock—that I want to remind all of us and all of those who are listening to this debate how critically important it is that we achieve a new structure in this country that does make it possible for the real aspirations of Quebec to find their fulfilment in the context of something we call Canada.

Oddly enough, I grew up in British Columbia and as a little boy, in my sixth grade, some of my great heroes were who? Champlain, Talon, Laval, Frontenac. How does that happen? There has obviously been in this country a culturing process which has made people like me, born on another



coast, somehow identify with the history of a people who were thousands of miles away.

On the other hand, I have a book here by Christian Dufour, a Québécois who grew up in the Saguenay region of Quebec and who says he and his brothers were astonished when they discovered at six years of age that there was anybody in this country who spoke English.

They were overwhelmed when they were 12 years old to discover that the majority of the people spoke English. So we have got a really difficult country to keep together—and that is an old observation; it is not new—but we must at all costs maintain the capacity of a dynamic and increasingly vigorous province of Quebec to play its

own role, find its own destiny and to do it in the context of something we can still call Canada.

I want to compliment the committee for the work that it has done to date. Under the leadership of the member for Dovercourt it will go on and tackle, I think, a much more difficult job than it has yet tackled, namely, looking at the structural questions as to how you embody the values and concerns of Ontarians that it has discovered in a proposal that will have some force in commending itself to us for our further debate on this question. I look forward at that time to taking a further part in that debate.

I suppose I should observe that the clock has 6 o'clock and adjourn this debate.

The House adjourned at 1800.



## ERRATUM

No.	Page	Column	Line	Should read:
4	125	1	29	crushed by a backlog of cases. Without new resources to deal with the backlog, we are in effect allowing discrim-



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
<b>Akande, Hon Zanana L.</b>	St Andrew-St Patrick	NDP	Minister of Community and Social Services
<b>Allen, Hon Richard</b>	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
<b>Boyd, Hon Marion</b>	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
<b>Buchanan, Hon Elmer</b>	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
<b>Carter, Hon Jenny</b>	Peterborough	NDP	Minister of Energy
<b>Charlton, Hon Brian A.</b>	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economic Development
<b>Churley, Hon Marilyn</b>	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
<b>Cooke, Hon David S.</b>	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
<b>Coppen, Hon Shirley</b>	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
<b>Farnan, Hon Mike</b>	Cambridge	NDP	Solicitor General, Minister of Correctional Services
			minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
<b>Gigantes, Hon Evelyn</b>	Ottawa Centre	NDP	Minister of Health
Grandmaître, Bernard	Ottawa East	Lib	
<b>Grier, Hon Ruth A.</b>	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Ampton, Hon Howard</b>	Rainy River	NDP	Attorney General
ansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
arnick, Charles	Willowdale	PC	
arrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
arris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
aslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
ayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
enderson, D. James	Etobicoke-Humber	Lib	
ope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
uget, Bob	Sarnia	NDP	Chair, standing committee on resources development
ackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
mison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
hnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
ordan, Leo	Lanark-Renfrew	PC	
lopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
ormos, Peter	Welland-Thorold	NDP	
winter, Monte	Wilson Heights	Lib	
<b>ankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>ughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
essard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
ahoney, Steven W.	Mississauga West	Lib	Chief whip
alkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
ammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
ancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
arland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>artel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
artin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
athysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
McLash, Frank	Kenora	Lib	
fills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
lorin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
lorrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman Vice-Chair, standing committee on administration of justice
McLurdoch, Bill	Grey	PC	
McLurdoch, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
ixson, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>North, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
<b>Philip, Hon Ed</b>	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
<b>Pilkey, Hon Allan</b>	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
<b>Pouliot, Hon Gilles</b>	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
<b>Rae, Hon Bob</b>	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
<b>Swarbrick, Hon Anne</b>	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
<b>Wark-Martyn, Hon Shelley</b>	Port Arthur	NDP	Minister of Revenue
<b>Warner, Hon David</b>	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
<b>Wildman, Hon Bud</b>	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Good, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Emba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

## COMMITTEES OF THE LEGISLATIVE ASSEMBLY

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#### Administration of justice

Chair: Drummond White  
 Vice-chair: Mark Morrow  
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 Clerk: Lisa Freedman

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 Vice-chair: Dianne Poole  
 Members: James J. Bradley, Brian A. Charlton, Sean G. Conway, Mike Cooper, W. Donald Cousens, Pat Hayes, Paul R. Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson  
 Clerk: Tannis Manikel

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#### Resources development

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 Clerk: Harold Brown

#### Social development

Chair: Elinor Caplan  
 Vice-chair: Joseph Cordiano  
 Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer  
 Clerk: Lynn Mellor

### SELECT COMMITTEE

#### Ontario in Confederation

Chair: Tony Silipo  
 Vice Chair: Gilles Bisson  
 Members: Charles Beer, Marilyn Churley, Ernie Eves, Charles Harnick, Margaret Harrington, Gary Maldowski, Steven Offer, Yvonne O'Neill, Fred Wilson, David Winninger  
 Clerk: Tannis Manikel

### SPECIAL COMMITTEE

#### Parliamentary Precinct

Co-Chair: David Warner  
 Co-Chair: Noel Duignan  
 Members: Dianne Cunningham, Remo Mancini, Irene Mathysen  
 Clerk: Smirle Forsyth



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# Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Tuesday 26 March 1991

# Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Le mardi 26 mars 1991

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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### **Table des matières**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 26 March 1991

The House met at 1330.

Prayers.

## MEMBERS' STATEMENTS

### PORT HOPE FRIENDS OF MUSIC

**Mrs Fawcett:** Last Wednesday 20 March, Donald Scott, a constituent of mine from Port Hope, was one of the proud recipients of the prestigious 1991 Outstanding Achievement Awards for Excellence in Volunteerism. His work with the Port Hope Friends of Music has transformed a rather undefined amateur organization into one of the best concert series presenters in Ontario. Few volunteer organizations ever achieve the artistic standards and integrity, the financial and business stability and the wide popular support this group has attained under his leadership. In this, its 16th anniversary season, it is one of the largest and strongest volunteer organizations in Northumberland county.

Port Hope Friends of Music has a large number of subscribers and donors, which continues to grow because of the quality of the concert presentations. I have personally enjoyed a number of these concerts, and year after year audiences are treated to internationally famed artists and groups, such as the Toronto Symphony Orchestra, the Weston Camerata and the American Boys' Choir, to name a few. Mr Scott's dedication and expertise have had much to do with attaining this high level of wide-ranging entertainment for Port Hope and area.

Our gratitude and congratulations are extended to Mr Scott for all he has done and continues to do to provide top quality entertainment which has indeed touched many lives. I would ask you all to join me in recognizing the work of Donald Scott of the Port Hope Friends of Music.

### GARBAGE DISPOSAL

**Mr J. Wilson:** My statement is directed to the Minister of the Environment. I hold in my hand four letters I have written to her which she, to date, has failed to answer. They all are related directly to her decision to grant an emergency certificate and allow six North Simcoe municipalities to haul their garbage to the dump in Wasaga Beach. Her shortsighted decision could have disastrous consequences for the tourism industry in this Georgian Bay community. Her cavalier treatment of the environment sends out the wrong signal to the people of this province who are genuinely concerned about the environment.

The minister has failed to respond to my four letters, to my statement in this Legislature, to my numerous requests for a meeting and to the four letters written to her from the Mayor of Wasaga Beach, but she was quoted in the 11 December issue of the Collingwood Enterprise-Bulletin as saying she hopes the county of Simcoe will get going as soon as possible on hydrogeological studies to determine the effects on Wasaga Beach's landfill site and the sixfold increase to its waste stream.

I am told these studies have not yet begun. I am sure the minister is aware that a hydrogeological study such as this one takes a great deal of time to complete. She has already exercised poor judgement by issuing Simcoe an emergency certificate for the Wasaga Beach dump. If she refuses to reverse this decision I want her to begin assuming responsibility for the environment and to assure this House that she will rescind the emergency certificate if the hydrogeological studies are not on her desk by 30 April, as she promised.

### NANCY SWEETNAM

**Mr Drainville:** I am pleased today to speak about a very inspiring young woman in my riding, Nancy Sweetnam, a grade 12 student at Lindsay Collegiate and Vocational Institute who has been setting new swimming awards around the world. Just last week, Nancy won a gold medal and set a Canadian and Commonwealth record in the 200-metre individual medley in Sweden. She also won the gold in the 400-metre individual medley.

Nancy is just 17, and she has already been named the female athlete of the year in her own community. Earlier this year, she captured the gold at the Commonwealth Games when she set a new record in the 200-metre individual medley. Then Nancy took the gold in the 200-metre event while at the World Aquatic Championships in Perth, Australia.

This is by no means the total list of the awards bestowed on this young woman in recognition of her gift and her drive. What I find interesting is that Nancy's coach is also her mother, Miriam Sweetnam, who was recognized in Victoria-Haliburton this year at the CKLY sports awards as coach of the year. In 1990, Miriam was named the Canadian swimming coach and the Ontario coach of the year for all sports.

Like all amateur athletes, Nancy and Miriam are working their way towards the 1992 Olympics in Barcelona, and we hope their work there will proudly represent Canada and the riding of Victoria-Haliburton.

### CHILDREN'S AID SOCIETY OF YORK REGION

**Mr Beer:** Tomorrow the Minister of Community and Social Services will be meeting with representatives of the Children's Aid Society of York Region. The purpose of this meeting is to address the current problems facing the society because of the dramatic population growth of the region and, in particular, of the children in its care.

The minister is aware that the York Region Children's Aid Society has responsibility for the fifth-largest child population but has the 13th-largest budget. This compares with 10 years ago, when it had the 11th-largest child population and the 12th-largest budget. During the 1980s, the region has more than doubled in size. This population growth over the last decade and the impact of the recession are placing the society under severe stress.



There are two basic issues facing the ministry and the society. The first is how to cover its current deficit of nearly \$2 million. I believe there is a process in place which can ensure that the deficit is covered. However, it is now time to deal with the second issue, which relates to the base budget of the society. We must recognize that unless that is done, the current problem will be repeated again next year and the year after that.

I believe, after numerous studies and reviews, the government must recognize that the society is operating as effectively and efficiently as it can, but unless its base budget more appropriately corresponds to the needs of the region, there will have to be major cutbacks, and this the region and its children cannot afford.

Tomorrow the minister must recognize the dilemma the York region society faces and state clearly her intention and that of her government to help ensure that York region's children will receive the support they need and deserve.

#### ST JOSEPH'S VILLA

**Mr Jackson:** I rise to call the attention of the House to the plight of St Joseph's Villa, a distinguished charitable home for the aged in Dundas in the regional municipality of Hamilton-Wentworth.

In June of last year, the former Liberal government told the villa to convert 99 residential beds to the extended care level without providing the necessary funding for the increased care requirements. As well, 29 chronic care beds in the villa were underfunded. The villa's executive director, Paul O'Kafka, warned the government of the day of the severe consequences for the residents as a result of the underfunding crisis to which the Liberals had subjected the residents of the villa.

But what has changed under the new NDP government? Like the Liberals, the NDP has reneged on its election promise to provide 70% funding of the incurred deficit that is hampering the ability of St Joseph's Villa to provide quality care to its residents. Like the Liberals, the NDP has continued to ignore the villa's pleas for funding of its extended and chronic care beds, and like the Liberals, the NDP government is now forcing the villa's board of trustees to go to the residents and their families and tell them that unless the funding situation improves, drastic measures will have to be taken by the villa, including the discharge of residents requiring specialized care back into the community.

I again remind the NDP government that health care was an important issue that collapsed the once mighty Liberals in the last election. The seniors of Ontario have had enough political rhetoric. They want to know when they will finally see some meaningful action on the part of this government to address the crisis situation which is currently gripping homes for the aged like St Joseph's Villa in Dundas.

1340

#### STRATHROY WOMEN'S AUXILIARY

**Mrs Mathysen:** I rise today to tell the House about an important milestone for the members of the women's auxiliary, Sir Arthur Currie Legion Branch 116, of Strathroy in the riding of Middlesex. On Saturday 16 March I was invited to a Royal Canadian Legion dinner to

celebrate the 60th anniversary of the auxiliary with the men and women of the Sir Arthur Currie branch, who have built a strong, viable legion that not only serves the war veterans and families of veterans, but actively serves the community. The contributions of this legion to the community surrounding Strathroy are many. Those I shall name are just a sampling of what these women and men have given.

In 1989 the legion made a generous \$14,000 donation to the intensive care unit of Strathroy Middlesex General Hospital for the purchase of a defibrillator. The women's auxiliary also hosts an annual chicken dinner for seniors at Strathmere Lodge. The legion provided the cadet corps with a meeting place when it was in need of accommodation and, with local service clubs, helped finance new lights at the Head Street playing field of the Strathroy Minor Soccer Association.

In 1990 the Strathroy boy scouts received eight new canoes, \$3,000 was given to Strathroy hospital for a diagnostic mammograph machine, and when local seniors were moved out of their community centre by their landlord, the Sir Arthur Currie legion provided these seniors with a place to meet and socialize.

The men and women of the Strathroy legion are extraordinary. Their commitment to community is unquestionable. Please join with me to extend congratulations to the auxiliary president, Eileen Harnett, legion president Sandy Sandford, and all legion members for their dedication to the people of Strathroy and area on this occasion of their 60th anniversary.

#### WETLANDS

**Mrs Sullivan:** I would like to bring to the attention of the House a proposal by the Federation of Ontario Naturalists and the Canadian Environmental Law Association which could save us all both money and natural areas.

Although a draft wetlands policy statement was released for consultation some 18 months ago and the previous government was ready to act on that, to date no final policy has been issued by this government and needless destruction of provincially significant wetlands continues unabated.

While we wait for direction, government and public interest groups are forced to appear before Ontario Municipal Board hearings. These hearings are expensive and are often conducted after much damage has been done. The lack of a wetlands policy statement means that in practice Ministry of Natural Resources district offices are not handling threats to wetlands in a consistent manner.

The FON and CELA have requested that the Ministry of Natural Resources issue a final wetlands statement by the end of April. This would mean that a policy and wetlands classification system would be in place before the spring construction season.

The minister should also bring forward natural area protection legislation which would include protection for wetlands, areas of natural and scientific interest and other ecologically sensitive areas. Protection of these areas would reduce the number of OMB hearings and environmental assessment requests.



At a time when money is short and public expectation of environmental protection is high, the Minister of Natural Resources should act. These measures would do much to save government money and to protect the environment.

#### SKYDOME

**Mr Stockwell:** In my statement of 29 November 1990 to the House, I called upon the Treasurer and the Premier to instruct the Provincial Auditor to make public the agreements which have been struck between the consortium members and the Stadium Corp of Ontario, which led to the consortium members reaping profit from the Dome operation while the taxpayers of the province carried the ever-increasing debt load.

I called for public disclosure of all those agreements, but to date this government has been silent. Recently, Bob White announced that it was highly likely that the taxpayers' 51% ownership of the Dome will be negotiated away to the private sector. What was not said was at what cost.

The people of Ontario were led to believe last summer that the Premier was a different type of politician and, if elected, would be a different type of Premier. All this House has seen to date of the Premier is indecision, broken promises and procrastination. When confronted, the Premier hides behind the state of the economy. The state of the economy has nothing to do with openness in government. The public should know why construction costs soared and what profits are being reaped by consortium members and what costs the taxpayers will suffer negotiating away ownership.

Bill Davis planned this Dome in secret, David Peterson built this Dome in secret, and the Premier is selling this Dome in secret. Some difference.

#### ONTARIO PRODUCE

**Mrs Haslam:** In light of the cross-border shopping situation, I would like to take this opportunity to encourage the members of this House to promote the purchase of Ontario-grown and -processed foods to their constituents.

Agricultural production and food processing is a \$16-billion-a-year contributor to Ontario's economy. Some 7,000 Ontario farmers work to feed domestic and international consumers. Our food processing companies account for 40% of Canada's food processing industry, employing some 85,000 people.

I think it is our duty to promote the purchase of Ontario products to keep this important sector of our economy viable. Members of the House will agree on the importance of preserving our agricultural land, but if we want to save farm land in Ontario, we have to buy Ontario produce. Now that spring has arrived, grocery stores will soon be offering the high-quality produce and food products for which Ontario is renowned. Whether we purchase greenhouse vegetables at this time of year or asparagus next month, tender fruit in the summer or canned and frozen vegetables grown in Ontario, we will be supporting the thousands of men and women of this province who work to put food on our tables.

All members of the food chain, from the farm gate to the retailers and their employees, deserve our support, and that support is best shown through where we choose to buy and what we choose to buy with our grocery dollars.

#### MINISTERIAL STATEMENTS

**The Speaker:** Yesterday, the honourable member for Parry Sound raised a point of order regarding the appropriateness of a statement made by the honourable Minister of Culture and Communications according to our standing order 31(a). I undertook to look into this matter and report back.

Our standing order 31(a) reads as follows: "A minister of the crown may make a short factual statement relating to government policy, ministry action or other similar matters of which the House should be informed."

Members will realize that the terms of this standing order tend to be on the non-restrictive side, and therefore it is difficult for the Speaker to interpret strictly what can or cannot fall under the confines of the standing order.

As far as the statement made yesterday is concerned, I find that it was in order, and I appreciate the member having raised the matter with me.

#### STATEMENT BY THE MINISTRY

##### COURT SYSTEM

**Hon Mr Hampton:** On 18 October 1990 the Supreme Court of Canada used clause 11(b) of the Charter of Rights and Freedoms to rule that delays in the criminal justice system were unreasonable and that the rights of accused, victims and the public to a speedy trial were being denied. This has placed Ontario's justice system in a critical position. I would like to update the Legislature on the progress we have made to date in addressing this serious situation.

Since the Askov ruling came down six months ago, 205,995 criminal charges have been dealt with by Ontario's justice system. Of this total, approximately 15%, or 32,254 charges, have been stayed, dismissed or withdrawn as a result of the Askov decision.

##### 1350

When I became Attorney General in October 1990, 74% of all criminal charges in Ontario Court (Provincial Division), or more than 150,000 charges, were put at risk by the Askov decision. I am happy to report to the Legislature today that preliminary results indicate that through the efforts of the entire justice system it has been possible to reduce the 75% at risk to the point today where approximately 35% of charges are at risk.

The Ministry of the Attorney General is continuing to make every effort to save as many charges as possible by moving cases forward and by double booking courts. We have also considered less serious charges for withdrawal in order to free courtroom time to allow serious charges to be heard. I am happy to report to the Legislature that approximately 96% of all new charges entering the system are now being scheduled within six months for trial dates.

Let me be clear: We will never be able to schedule all cases within six to eight months. The Askov decision itself recognized that more time is required to prepare for complex cases. In November I announced to the Legislature a



government commitment of funds of over \$39 million to reduce delays and backlogs in the courts by appointing judges, hiring crown attorneys and support staff, improving court facilities and implementing further initiatives.

Mr Speaker, I am pleased to be able to tell you today that we have appointed 18 new provincial court judges, and in the upcoming weeks I expect to appoint the remaining nine. The 27 appointments will help us to achieve a more representative provincial bench. Of the 18 appointments to date, 11 of these judges are women, including Canada's first woman native Canadian judge.

In November I wrote to some 1,200 women lawyers inviting them to apply to become judges. As a result, more than 40% of applications for the new positions on the provincial bench came from women, compared to 12% of applications in previous competitions. The trend in judicial appointments is clear: No longer will we hear the argument that there are not enough eligible women who want to become a judge.

In November I asked the federal Minister of Justice to appoint 12 new judges to the Ontario Court (General Division). On Friday 22 March the Honourable Kim Campbell announced the appointment of five new judges to the General Division to help reduce the court backlog in Ontario; seven other appointments were announced to fill existing vacancies.

I have instructed ministry officials to ensure that employment equity guidelines are strictly adhered to in all hiring. Of the six crown counsel and 29 assistant crown attorneys hired, 6% are francophones, 14% are racial minorities and 54% are women. An additional 41 assistant crown attorneys and six crown counsel are still to be hired. One hundred and thirty-nine support staff have also been hired; 101 completed a voluntary employment equity survey. The survey shows that 73% fit into one of the five target groups of employment equity.

Our focus is to provide the people of Ontario with a system of justice which is responsive, efficient and timely. We have made good progress, but we still have a lot to do. We are developing a number of strategies in consultation with the judiciary, the defence bar and police. Efforts are being made to strengthen programs where disclosure of the crown's case will be made available to the defence at an early opportunity so that the merits of criminal charges can be assessed by both crown and defence shortly after charges have been laid.

In addition, we are developing a post-charge screening program whereby crown attorneys will review all criminal charges laid to determine whether a prosecution of the charge is in the best interests of the administration of justice, and the Toronto region General Division will begin implementation of a dedicated court system effective 1 April 1991. The initiative, developed through the leadership of the General Division judiciary, is aimed at improving the flow of cases and scheduling in the Toronto General Division courts.

The dedicated system will provide each of the four areas of Metro Toronto with specific courts. Metro west, Metro north, Metro east and Metro central will each hold these dedicated courts at 361 University Ave. A specialized

team of judges is responsible for handling cases from each location. Disclosure, pre-trials, scheduling, case-flow management and disposition of all cases committed for trial from the four courts will be handled in the dedicated courts.

In November I asked Chief Judge Sidney Linden to consider implementation of specialized or blitz courts in backlogged areas to expedite the handling of specific classes of charges such as impaired driving. The chief judge is currently looking into the feasibility of specialized courts for certain locations. I have also asked the chief judge to look into tiered courts, which would overcome shortages of court space by allowing two judicial days to be accommodated in only one day.

I am happy to report that the tiering of family courts will take place in Oshawa. In addition, in Newmarket a pilot project for evening sessions of small claims court will begin in mid-April. I recognize that this is just a first step, but other areas are currently assessing the feasibility of implementing specialized and tiered courts.

I want to inform the Legislature that we have also increased the number of delay reduction committees from 18 to 25. These committees use co-operative management and case-flow management techniques to cut delays in scheduling.

I have said that I recognize the enormous impact the Supreme Court of Canada's decision has had on victims of crime. I announced in November that the Criminal Injuries Compensation Board would consult representatives of the community and government. I am pleased to tell members today that this important initiative has begun. The Criminal Injuries Compensation Board organized a two-day conference at the end of February to discuss issues of concern to victims of crime. Others have since sought participation in developing guidelines for the government. The Criminal Injuries Compensation Board is ensuring that all voices are heard. I expect to receive its report in June.

We are very aware that there are still cases scheduled beyond eight months. There is a lot of work ahead of us. This is both a difficult and challenging time for everyone involved in the justice system, but the end result will be more caring, responsive, humane and quality justice system.

## RESPONSES

### COURT SYSTEM

**Mr Bradley:** What is most interesting about this announcement is, in effect, that it is a non-announcement, a rehash of information that has been available to the public and to the House for some period of time. It really demonstrates clearly that this government has no particular agenda. When all it can do is come into the House with essentially old news for members of the Legislative Assembly and the public, one has to wonder what the agenda is of this government.

The minister takes some pride, he says, in the fact that he has reduced the backlog. I think everyone in the province who is aware of this issue recognizes that he has reduced that backlog on the backs of people who have been very interested in the field of drunk driving, for instance, or in the field of sexual assault, where we have



en some serious cases which in fact have been dropped. That should have happened, of course, immediately when it happened, is that he should have sought some advice from a superior court on the best way to address this issue immediately after the judgement was handed down.

I watch each minister getting up each day with these announcements. While there are many problems that are confronting the province of Ontario and while the minister may wish to extol his own virtues in this field, I remind him that he has other colleagues who do not rise in the house to tell us what they are doing to solve the many problems that exist in the province of Ontario.

We have a deficit which is ballooning out of control. We have unemployment which is at the highest rate it has been in years. We have jobs which are fleeing the province of Ontario. Real and genuine human problems are confronting us. We have Varity Corp allowed to escape from the province of Ontario and head south of the border. We have Consumers' Gas falling into foreign hands, even though the Premier of this province just a few months ago had some rather interesting comments to make on that. We have the Minister of Health who is inadequately funding the hospitals and the health care system in the province of Ontario. We have, in addition to that, a Minister of Education who now does not know what 60% of the cost of education is in terms of funding education at the rate of 60%, and we all remember that.

00

We have a food bank problem which is growing in the province of Ontario. We have an environmental agenda which is at a standstill. We are moving very slowly in the province of Ontario in terms of public transit. Even though there were some significant announcements which were made in the previous year in public transit, we see no significant movement in that field. We have farmers who are facing bankruptcy in this province, not only in my part of the province, the Niagara Peninsula, where they are being forced to sell off good agricultural land, but of course right across the province of Ontario. Instead, we have some studies, we have the dog-and-pony show, the NDP caucus going around pretending they are listening, but we are not seeing any significant action emerging from the Ministry of Agriculture and Food.

We have Colleges and Universities which is attempting to reach out to get additional funding to carry out its responsibilities, students who have a difficult time meeting their financial obligations, and the answer of the Rae government is to increase their tuition by some 8%, having said that it was going to abolish tuition fees. We have bickering and squabbling within the NDP cabinet and caucus over the issue of automobile insurance in the province of Ontario, with some taking one stand and some taking another stand. Meanwhile, we have uncertainty out there in the private sector, where there are in fact existing companies who are delivering a service and those people are wondering how long their jobs are going to be available in the province of Ontario.

We have housing starts. We heard all of these stories about housing starts. This was the government that was going to deliver on low-cost housing for people in the

province of Ontario. Instead, we have a woefully inadequate number of new starts in the province of Ontario, and yet all of the announcements we get are piddly rehashes of what the government has already announced. Now—

[Applause]

**Mr Bradley:** Well, they must be applauding for the 1,600 jobs a day that are being lost in the province of Ontario.

**Mr Elston:** On a point of order, Mr Speaker: I know that some of the people on the opposite side could not abide listening to the reply by the member for St Catharines, but he is clearly allocated five minutes to be heard in this Legislative Assembly and there was certainly not an opportunity to be fully heard. I expected you to call the people to order who were trying to drown him out.

**Hon Miss Martel:** On the point of order, Mr Speaker: The five-minute response time is just that, to respond to the statement made by the minister, and there was not more than five seconds of that kind of response. So when you are dealing with this matter, I suggest you look very clearly at how long the member spoke to the matter at hand, because it was not very long.

**The Speaker:** I did take note that the member for St Catharines's response elicited an interest around the chamber and what I was not sure about was whether or not the member had completed his remarks. We were at approximately 12 seconds on the clock when there was considerable noise that drummed out the member for St Catharines. I take it that he was at the point of winding up his remarks. If he has a few more brief remarks to make, he has the floor.

**Mr Bradley:** The other would have been in the field of long-term health care, where in fact we have had a virtual standstill on the other side of the House. So when they are making announcements I hope that we will have some with substance and some with innovation, rather than the rehash of old material that has come before the House previously.

**Mr Harnick:** In response to this statement, I think it is an incredible thing that someone who has watched almost 35,000 cases be tossed out of court, who has had to look victims in the eye when they have not been able to seek redress and have watched the accused leave the courtroom free, stands up here today and congratulates himself. I cannot conceive that anyone would brag about cleaning up court lists because 30,000 cases were eliminated. The victims certainly are not standing up congratulating the government that sat around for about two months waiting to decide what to do with Askov and delayed because it was too difficult to get judges and courtrooms working full days. To congratulate himself in that circumstance amazes me.

There are other interesting aspects to this statement. I notice that in November the Attorney General was asking for new federal judges, federal appointments. The reason there were no federal appointments before that time and the reason there were no federal appointments until the middle of March is because the Attorney General had not appointed a person to the judicial council, so those appointments could



not be made. When I wrote to the Attorney General in January and I asked, "When are you going to make that appointment?" I got a letter back that said: "Oh, well, we'll write you later. We don't know the answer yet." That is the response that I got. It would have been very simple to make that appointment, and these judges could have been picked and in place three months ago.

It is also interesting to note that there has been hiring based on the accolades of employment equity. We have hired francophones, racial minorities and women, and I think that is all very good and it is all very proper. But it seems the one thing that the Attorney General never talks about any more when it comes to appointments are appointments based on the number one criterion for our court system, and that is ability. That criterion has gone out the window and I think that in future, when he list these things, ability and experience have to be included in the list of other admirable qualities. But hiring does not include ability any more. It only includes all of the other things. I do not deny that the other things are good things and I do not deny that they are proper.

The other thing of great interest is that we hear about all the things that the Attorney General is doing on the criminal side. There is no mention of what he is doing on the civil side, other than the fact that he is going to try something new with a tiered court in Newmarket. What is happening with the Unified Family Court system? What is happening with the small claims courts? The small claims courts have gone from having 13 full-time judges to eight. The limit is \$3,000 in Toronto. Everywhere else it is \$1,000. Why are we not making the right reforms to that court, the people's court?

1410

The other very interesting area is the Attorney General's discussion about victims and the conference that he held in February. It is interesting that he held that conference on the same day that the standing committee on justice had subpoenaed those witnesses to come before it. What the Attorney General effectively did that day was derail the process of a standing committee. The standing committee had those witnesses arranged, the witnesses were to appear before the standing committee on justice, and where did they go? They ended up at a hastily called conference that was set up for no other reason than to derail the standing committee. Not only did they have that meeting; it was a closed meeting to boot. This statement, this self-congratulatory statement, leaves a lot to be desired.

#### VISITOR

**The Speaker:** Before continuing, members may wish to welcome in our midst today a former member from the riding of Lanark-Renfrew, Doug Wiseman.

#### MINISTERIAL STATEMENTS

**Mr Daigeler:** On a point of privilege, Mr Speaker: we have had rehashed announcements by ministers, we have had no announcements by ministers, and then we have had announcements by ministers that were made outside this House instead of inside this House.

Today, the Toronto Star is reporting that the Minister of Colleges and Universities announced yesterday at a conference that \$21 million are being allocated to make room for more visible minorities at our colleges and universities.

It has been the tradition of this House that major government initiatives, major government announcements are made during ministers' statements. Twenty-one million dollars is a significant amount. Therefore, the minister should have made his announcement right here in the House. Would the Speaker, therefore, please review this matter and make a ruling whether it is appropriate, according to our parliamentary traditions, that major government initiatives are made public before they are announced here in the House.

**The Speaker:** First of all, the member should be aware that that is not a point of privilege; it is a point of order which you have raised. It is a point of order which I dealt with last week and a statement was made to the effect that statements made by ministers outside the House are certainly not out of order with respect to our standing orders in this assembly. It has been ruled on previously. You may wish to refer to Hansard.

#### MEMBERS' MAILINGS

**Mr Mahoney:** On a point of order, Mr Speaker: I would like your opinion on a document that I have which appears to be a householder sent out by the member for Guelph, to all constituents in Guelph. There is a question in the householder that I would like to refer to the Speaker for a railing—or a ruling, rather. I am getting a little—what would you like?

**Mr Stockwell:** You do the railings, he does the rulings.

**Mr Mahoney:** Well, these guys have got us on a rail with all this nonsense and I am personally getting tired of constantly rising in my place to ask you to rule. If the Premier would set some standards for his back bench to follow instead of going out and doing polling, "I would like information on the following political party," right-out questioning, getting his constituents to do polling to get information on a political party, paid for by the taxpayer—I think it is outrageous. I would like the Speaker's ruling.

**The Speaker:** If the member would be so kind as to forward that to the table—perhaps a page could obtain it, please—I would be most pleased to take a look at it and I will report back to the member as soon as possible.

#### ORAL QUESTIONS

##### FUND-RAISING

**Mr Nixon:** I have a question of the Premier, and it also involves his capacity as leader of the New Democratic Party, having to do with the involvement of the party in municipal elections. The Premier will be aware that the media day by day gives further evidence of the concentration of the NDP on winning municipal office. There is nothing the matter with that other than they might be successful, God forbid.

But I have noticed particularly that some of the Premier's cabinet colleagues have moved forward in a prominent way to take a role in municipal elections on



half of the NDP. Without spending a lot of time on detail, I think the one that took my attention mostly was three cabinet ministers and three other members of caucus in Hamilton sending out a fund-raising letter for their morality candidate which says as follows: "He has done everything possible for the New Democratic Party. Now it's our turn to help our political friend." This is the same candidate who received the special information about the cancellation of the Red Hill Creek Expressway.

I would say to the Premier by way of question, since he has established very high standards for his colleagues in respect of their responsibilities here, is he prepared to announce that his position is in providing guidelines particularly with respect to fund-raising for cabinet ministers and other caucus members covering their activities in municipal campaigns?

**Hon Mr Rae:** I am troubled by the Leader of the Opposition's question. I have not seen the details of the letter question. If he would care to send me over a copy, I would obviously appreciate it.

But I would say to the Leader of the Opposition that the notion that upon entering cabinet people stop being politicians or stop playing a role in their constituencies and that we completely cease having any political identity of any kind whatsoever strikes me at first blush, I must confess, as quite strange. There is no suggestion that has been made by the Leader of the Opposition of any kind of conflict. The only suggestion that has been made is that somehow it is inappropriate for us to express a view as to who our preferred choice would be for a candidate for federal office or for municipal office.

I would remind the Leader of the Opposition that his leader campaigned in the last federal election, his leader campaigned on behalf of candidates in the last federal election, his leader endorsed many Liberal Party candidates in his own riding and elsewhere. When the next federal election comes, I am going to be a New Democrat, the Leader of the Opposition is going to be a Liberal, the leader of the Conservative Party is going to be a Conservative. I see no distinction between that.

**Mr Stockwell:** Don't bet on it.

**Hon Mr Rae:** Maybe I am being unfair. Maybe I have assumed too much. The fact that there are some people who are identified as New Democrats or Liberals or Conservatives at the municipal level and have the support of other people who are New Democrats or Liberals or Conservatives is not exactly news.

**Mr Nixon:** The honourable Premier would be aware that my question had to do with cabinet ministers participating in direct fund-raising for their NDP friends and that this would lead, in my view, to a certain conflict when it came to the discussion of issues.

On a related matter, is the Premier aware that article 8.07 of the collective agreement between his administration and his caucus support staff states as follows, "When authorized by the member during a municipal campaign, those employees who work full-time in a constituency office during a campaign in that riding shall be entitled to four days' paid leave"?

Given the fact that the NDP has decided to participate extensively in municipal elections, can he ensure that the public purse is not going to be funding NDP workers in Hamilton, in Toronto, in Ottawa, in Sudbury and in Brantford and other areas where the NDP is taking a leading role?

**Hon Mr Rae:** Of course I can.

**Mr Nixon:** That is good.

I have an interesting publication. I will send a copy of it to the Premier, although he probably has it. It is an announcement of an NDP seminar to assist those people in the community who want the following questions answered about the NDP: "Who are they? What motivates them? How do they make policy? What factors influence its decision-making process? How are they organized?" This invites people in the community to listen to leading members of the New Democratic Party, of which the Premier is the leader, to take part for a fee. The registration fee is \$750 per person, plus GST of course, which is \$52.50, for a total of \$802.50.

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I would like to ask the Premier if, as leader of the New Democratic Party, he has authorized this tollgate on the community at large when, in a widely quoted address, he said: "If you want to spend money to get access to the Ontario government, it's your money. If you want to burn it, it's your business. If you don't need the money and would like to give it to someone like a food bank everyone would be much better off."

**Hon Mr Rae:** This seminar has absolutely nothing at all to do with my government, nothing. No, it is a party function. The parties opposite have functions. They raise money at their functions. They have seminars.

**Mr Nixon:** The question is directed to the leader of the New Democratic Party, who is the Premier of the province and who is now disavowing—

**Hon Mr Rae:** No, no.

**Mr Nixon:** The Premier cannot separate his position—

**Hon Mr Rae:** No, no. The Leader of the Opposition may choose to go bananas, but I am still going to answer his question. Before he goes bananas, let me just say to him that the idea that a political party should somehow be prevented from having a seminar or from raising money in a way that is perfectly open and perfectly aboveboard—every political party in the province does it. The Leader of the Opposition now is so desperate for a headline and so desperate for news that he is actually talking about nothing of any significance at all.

**Mr Nixon:** The leader of the New Democratic Party is so desperate for bucks that he has got an \$800 tollgate on the people of the province so they can have access to the government.

#### SOCIAL ASSISTANCE

**Mr Nixon:** I have a question for a minister who will give me a much more sensible answer, I know that, and that is the Minister of Community and Social Services.

Yesterday, the minister indicated that she was making progress in ensuring that the benefits of the government's anti-recession package were targeted towards the low-income



and unemployed people of this province. Today, the Daily Bread Food Bank will be launching its Easter food drive. Perhaps, as a matter of fact, the money that would be going to the Bob Rae fund can be redirected to that food bank as he suggested.

The Daily Bread's own statistics show that almost 120,000 people in Toronto receive groceries or emergency meal programs every month, a 48% increase over last year. Children under the age of 19 account for almost 52,000 of monthly food bank users, an increase of 73%. How does the minister reconcile her claims that the NDP government has moved, in her words, quite a distance in getting people back to work with the statistics and the facts that demonstrate that the very opposite is true?

**Hon Mrs Akande:** Actually, in fact, the very opposite is not true. It is a fact that there has been an increase in the case load, and that increase has resulted from unemployment, the recession itself, the fact that the federal government continues to pull out on its supports to people, and this of course means that more people move very quickly to the social assistance and are increased on that load.

We do address the program and, of course, if you look at the newspaper and you read it more carefully, you will also recognize that they have reported that there has been a decrease, that some of the people have been taken off the food bank since the increase in social assistance has taken place. We continue to move and to put our funds in areas where the case load is very high.

**Mr Nixon:** The honourable minister was good enough to indicate that the utilization of the food banks dropped slightly when SARC recommendations were first established in the budget before the last one. Since that time and since she became minister, there has been only a 2% increase in the funding of those people who are substantially in need in this particular area and across the province.

In response to a question in the Legislature last November, the minister asked us to give her three months to plan for but not study the NDP government's approach to social assistance reform. As I remember it, and perhaps this is taking her slightly out of context, she said, "Give me three months to abolish poverty."

I would like to ask the minister, since the three months are up and in the interim the Advisory Group on New Social Assistance Legislation has recommended that \$5 million be invested in pilot projects for opportunity planning, in other words, putting people back to work, how she has responded to these specific recommendations to solve the crying need that she is aware of and we are all aware of.

**Hon Mrs Akande:** Let me first of all correct a bit of an error here. There seems to have been some kind of difficulty in the member's receptive language. Actually, that was not what I stated. I did state that it was necessary for us to have some time to study the problem. I want to correct another error. We did actually make more than a 2% increase. We also increased the increase by 5% on the shelter, the area which had significant influence on the use of the food banks. Then of course we have used our \$51 million of the anti-recession fund to address the needs of

those who were put out of work. I might say that those 35 projects are all in areas where the social assistance increase is greater than 30%.

**Mr Nixon:** With over half a million people out of work in the province right now, and I think the latest figure that we have from the ministry is about 894,400 individuals on social assistance, with the situation that came to a head with the report of the Daily Bread Food Bank in the newspapers today, will the minister explain something that frankly I put to her yesterday, how she relates her responsibilities with the announcements made by the Premier and the Treasurer of the allocation of special funds when we are aware that the welfare cases in York region are up over 100% in one year, in Victoria county up 83%, St Thomas has an increase of 81%, with Elgin county in general over 100%? These areas have received little if any of the special funds announced by the Treasurer which are to be spent in the next fiscal year. Does she have a role in correlating the expenditure of these large amounts of money with the special problems of those people who are not only unemployed but are in receipt of welfare?

**Hon Mrs Akande:** May I say that in fact we have moved to address the problem. We have done it in two ways. I want to specify what those ways are. First of all, we have decided on the focus of that money, on where to put those anti-recession programs according to the viability of the program, the financial viability and the areas most impacted by the recession. We have addressed some of the needs in Elgin county. We have looked at those areas that had an increase that was greater; that meant the social assistance recipients were 40% or greater of the population.

#### RETAIL STORE HOURS

**Mr Harris:** I have a question for the Premier. During the weekend he was quoted, I think in the Toronto Star, as saying, "Changes to Ontario's Sunday shopping law won't be coming soon, Premier Bob Rae says." Also in that quote, when he was articulating his and his government's policy in response to Sunday shopping, he said that it could be at least a year before his government makes a decision on the issue of Sunday openings. I wonder if the Premier would share with this House just what it is that he is planning to do that could possibly take a year.

**Hon Mr Rae:** I never said that introducing the legislation could take as long as a year. What I said in my speech—and it was clearly stated in the speech that I gave—was that there would be a process of consultation, and then there would be legislation. Then there will be, in all likelihood, public hearings, if that is what the House decides it wants to have, and then there will be final reading. That is the way the process works. The leader of the third party knows that if we were not to consult, he would be the very first to criticize. So the minister is responsible now for leading the consultation. The legislation will be forthcoming, and when the legislation gets to the House it will be dealt with then. But there is every inclination on our part to consult. There is absolutely no desire on our part to delay this matter.



**Mr Harris:** Surely, when we are after consultation on these issues, it is indeed to receive public input. There are other times, I would suggest to the Premier, as example after example after example, that he is using this call for consultation as some form of excuse because he still does not know what he is going to do. I do not even know why he called the House back. If three months was not enough to get his act together, why does he not recess for another month so that we can find out what it is he wants to do?

Clearly, the people have been consulted on Sunday shopping. Last week when I asked a question, the Solicitor General said: "I can tell you what the workers are going to say. I can tell you what the union's going to say," and he is right. We all know, because they have been consulted to death. Quite frankly, this government has beaten the consultation process, or excuse, on this issue to death.

If the page can come in, I will show the Premier the scope of consultation that his Solicitor General has been through. Here is the documentation. This is the result of months of consultation. These are the submissions right before me from 522 groups—unfortunately, it covers my whole desk including my question—522 groups and individuals from across the province who testified before the last committee studying the issue. This is a committee that the Solicitor General sat on. He has heard it all.

We have now had nine months of self-regulated Sunday openings. I would like to ask the Premier, what is it that he possibly thinks he is going to hear that he has not heard already?

**Hon Mr Rae:** I must confess to a degree of surprise with respect to the question from the leader of the third party, because his party is the very first to accuse us of broadening things and of wanting to ram things through and not talk to people. I say to him that I think that the government is taking the wise course. He well knows that, here, there were hearings before, and he knows the experience of the previous government which did not listen. This is a government which intends to listen. We also intend to listen, and I want to give that assurance to the House and to the leader of the third party.

**Mr Harris:** I do not know. The first one on top: Here is the Ontario Public Service Employees Union brief on Sunday shopping. It will not change, I can assure the Premier of that. We have spent hundreds and hundreds of thousands of dollars, probably in the millions of dollars, looking for this answer, consulting with the public. There were two major committees before the one in 1988. As members know, we had our own task force that went out and did the same thing because we did not think we could ever convince a government to consult.

There is one thing that has changed: We have had eight months of self-regulation. That has changed, for the first time in the history of this province. I would tell the Premier if in fact he is telling me he wants to study and analyse the results of that, that the sky did not fall in. If there is something that all those who predicted would happen happened, if that is what he wants to do, I can understand it, but to tell me he is delaying to consult the people

on what their views are is strictly stalling. Is the Premier really not making a mountain out of a molehill on this issue, because there is no issue out there and there has not been for the past eight months.

**Hon Mr Rae:** I want to say to the leader of the third party that in my view there is another thing that has changed, and it has changed about four times in the last three years, and that is the position of the leader of the Conservative Party with respect to the issue of Sunday shopping. Now they are consulting as to whether it is five times or four. I am not sure whether it is five or six or four.

I want to be fair to the leader of the third party, and maybe it is important for us to hear from him again, but I say with great respect to the leader of the third party that I do not think it is improper for the Solicitor General, having received the decision of the Supreme Court of Ontario, to talk with people who are affected by whatever decision this government takes before we make any announcements and before we introduce the legislation into this House. I think that is appropriate. I think it is what the people of this province want. I think it is what the people of Ontario need. It is the kind of government which we are going to continue to provide to the people of the province.

**Mr Harris:** We may have had four different opinions; we have also had four different leaders in the last five years. They, however, have had the very same leader. What can I say?

**Mr Mahoney:** How about the next five?

**Mr Harris:** We may have five more in the next five years too. I do not know.

#### ASSISTANCE TO FARMERS

**Mr Harris:** My second question is for the Premier. In the Premier's agenda for the election, he promised to make \$100 million worth of financing available to farmers at the government's borrowing cost. This was a commitment the Premier made during the campaign. He said he would use the borrowing cost and he would make \$100 million available. I wonder if the Premier could tell me, at the time he made that commitment, how he thought and envisioned that this program would work.

**Hon Mr Rae:** I can only say to the leader of the third party that the government will be having an announcement to make with respect to the question of farm financing reasonably soon.

**Mr Harris:** A year ago this week, the member for Algoma, who now sits in the Premier's cabinet, introduced a resolution calling for a farm interest rate reduction program, something similar to what the Premier announced in the campaign, although he had a unique way in the campaign. He was going to use the borrowing power, and I was hoping he could give us an explanation of how that would work.

I wonder if the Premier could tell the farmers specifically, who are making planting decisions now—and needed to know last week, quite frankly, but need to know now some of these costs and some of these answers to these questions—what reduction, if any, they can expect on their interest charges this year, and perhaps he could go back to



the first question and just tell me how he envisioned this program would work, using the borrowing credit of the province.

**Hon Mr Rae:** I want to assure the member, as I assured the Leader of the Opposition last week, that this is an issue that the government takes very seriously. The Minister of Agriculture and Food has been extremely effective in bringing forward the case on behalf of farmers who have never really come out of the recession and who are now in some real difficulty, and as I have said to the leader of the third party in my first answer, he will be having something to say about that quite soon.

**Mr Harris:** We have heard all this "quite soon" stuff, and farmers—

**Hon Mr Rae:** No.

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**Mr Harris:** Well, we have. I mean, in the campaign it was "right away." They had the answer on Sunday shopping. They had the answer on automobile insurance. Now it is going to be "quite soon."

Meanwhile, farmers have been waiting since they have been elected, for six months. I suggest that it is not just the farmers who need boots these days, because it is getting pretty thick right in here in this Legislature on issue after issue and promise after promise.

The Premier made a promise to the farmers, who helped get him elected, clearly. We see no evidence of that bearing fruit. He has his own travelling show, the famous three, who did not talk about this at all as they travelled around the province, and by the time his Treasurer plows through everything and comes up with a response, clearly it is going to be too late to help farmers this year. There will not be any seeds in the ground if they are relying on him for the announcement.

Last year he had an answer. Last summer he said it was simple and it would not cost anything. He would just use the borrowing credit of the government. If it is so simple, why has he waited some six months, put farmers through this agony and put them through this position where they cannot make these planning decisions?

**Hon Mr Rae:** I want to give the leader of the third party my assurance, as I have in each of the two answers that I have given him so far. First of all, I think that the discussion that was led by the member for Essex-Kent, the parliamentary assistant to the minister, was a good one and an important one. But I also want to give the leader of the third party the assurance that this government is fully intending to provide the kind of support to farmers and to agriculture that they need, and we are going to be making it very clear to him and to others just how strong that commitment is.

#### FOREST SPRAYING

**Mrs Sullivan:** My question is to the Minister of Natural Resources. The minister will be aware that his predecessors, the member for Fort William and Mr Kerrio committed the ministry to a policy of using only the biological insecticide Bt. He will also know that spraying Ontario's forests with pesticides is of course of great con-

cern to people right across the province. Could the minister confirm today that only the insecticide Bt will be used while he is minister, and second, will he introduce a screening process to regulate Bt use in areas where endangered or rare species or their special habitat exist in Ontario?

**Hon Mr Wildman:** I would like to assure the member that the position of the ministry and of the government has not changed from the previous government.

**Mrs Sullivan:** We appreciate that. We would like also to know further information from the minister relating to herbicides, such as 2,4-D and glyphosate, where they are the herbicide of choice in Ontario's forest operations despite much concern among the public. I wonder if the minister could explain what plans or initiatives he may have to restrict the use of herbicides such as 2,4-D and glyphosate but not necessarily restricted to those two herbicides.

**Hon Mr Wildman:** We take the view of those who are concerned about the use of herbicides, particularly aerial spraying of herbicides in our forests, very seriously. As the member will know, as outlined in the throne speech and the commitments that we have made in the House, we will be bringing forward this spring a sustainable forestry program which will involve comprehensive forest management policies, one of which I suspect will involve the question of herbicide use and the question of aerial spraying as opposed to manual tending or ground-level spraying. We will be carrying on as part of that thrust investigation and research on alternative ways to manage our forests to limit the use of herbicides in Ontario's forests.

#### ASSISTED HOUSING

**Mr Runciman:** My question is to the Minister of Consumer and Commercial Relations. The minister is aware of the widespread and growing public concern about people living in co-ops and receiving subsidized rents who can afford market rents. The net effect is that taxpayers are subsidizing those who do not need it, thereby denying housing to those truly in need.

The Ontario Corporations Act allows co-ops to receive subsidies for 30 years. At the end of that term, the tenant own a valuable piece of property for which they owe the taxpayers nothing. Clearly, this is unfair to taxpayers. Is the minister prepared to change the Corporations Act to require co-ops to account for the public money they have received at the end of the term of the subsidized mortgage?

**Hon Ms Churley:** I would like to refer this question to the Minister of Housing.

**Hon Mr Cooke:** This government shares the same philosophy that previous governments have shared and that the member's federal government shares, and that is that we do not believe any longer in building public housing that has 100% rent geared to income. We believe in integrated neighbourhoods and I am surprised—well, I am not surprised that the Conservative Party continues to use this issue in a political way instead of trying to work with this government and other people in this province to build integrated neighbourhoods and affordable housing across this province.



**Mr Runciman:** That is a bunch of baloney and the minister knows it. He talks about us using it for political reasons. We do not have a lot of Progressive Conservatives living in subsidized housing in this province, unlike his party. We brought this issue up many months ago, before the current minister and Jack Layton and a multitude of other NDPers were living in subsidized housing, subsidized by the taxpayers of this province.

We are talking about flips, and I want to ask this minister if he agrees with the concept of the taxpayers of this province subsidizing those kinds of people, people who can well afford market rents and at the end of 30 years can flip their units and make significant profits on the backs of taxpayers. Does he agree with that?

**Hon Mr Cooke:** I think if the member wants to give an honest interpretation of tax laws that are used in this province and in this country, he will look and say that there are a lot of subsidies that exist in the private sector as well. We have to use the tax laws and we have to use housing policies to provide a range of housing. I would reiterate that this government feels very strongly, and that is that co-op and non-profit housing should be integrated with a range of income levels in this province. We stand by that commitment.

#### ENVIRONMENTAL ASSESSMENT

**Mr Christopherson:** My question is for the Minister of the Environment. The minister will be pleased to know that although my question is on another Hamilton-Wentworth transportation project, this one is not quite as controversial as others we have dealt with here, although it is just as important.

Residents of Hamilton are distressed, as I am, that we have had no word on the progress of the environmental assessment for the Hamilton downtown GO train expansion. Given this government's commitment to public transportation, when can we expect the ministry to complete its review of this assessment?

**Hon Mrs Grier:** I am so glad somebody asked. I can understand the frustration that people have felt with the environmental assessment process. It does take too long. I am pleased to be able to tell the member that the review of this particular environmental assessment is almost completed and I would hope that we would soon have an announcement as to the public consultation.

**Mr Christopherson:** My supplementary would be the first of all prefaced by thanking the minister for finally moving this assessment along. We have been waiting a long time to get this project moving. Given the fact that it could take over a year for this assessment to go through the Ministry of the Environment, what assurances can the minister give this House that the government is committed to improving the environmental assessment process?

**Hon Mrs Grier:** This government is firmly committed to the environmental assessment process and to making that process effective, efficient and timely. As I told the members of this House last November, I would release the discussion paper that was prepared for my predecessor, the member for St Catharines, that looks at making improve-

ments to the Environmental Assessment Act. The Ontario Environmental Assessment Advisory Committee is undergoing public consultation around the recommended improvements to the act that were contained in that paper, and it is certainly my hope and intention to have amendments to that legislation before this House as soon as I can.

**Mr Sterling:** On a point of privilege, Mr Speaker: I just wanted to make it clear that the member for Hamilton Centre charged the Minister of the Environment with interfering with the Environmental Assessment Board. That is what he said, that she sped up the process. That is what he said. She did not deny that, and therefore I think that requires an explanation by the Minister of the Environment.

**The Speaker:** To the member for Carleton, I do not believe that is a point of privilege, but it certainly is of interest to you and many others. We have a question from the member for Mississauga West.

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#### SENIOR CITIZENS

**Mr Mahoney:** I need your patience, Mr Speaker, because my question is directed, if you could just follow me, one, to the Minister of Citizenship; two, to the minister responsible for race relations; three, to the minister responsible for the Ontario Human Rights Commission; four, to the minister responsible for disabled persons, and finally, if there is any time left at the end of the day, to the minister responsible for senior citizens' affairs.

As the minister knows, the previous government established the Office for Senior Citizens' Affairs and I think with the size of her portfolio, we could consider her indeed to be the mother of all cabinet ministers over there. My concern is that since the minister took office last October, however, there has not been one substantive announcement made on behalf of senior citizens and indeed she seems to be placing our senior citizens on the back burner.

I would point to the example that all of the minister's staff, from the deputy on down, work for the Citizenship ministry. I have a business card, a policy analyst. I will not mention the name, but it says "Office for Senior Citizens' Affairs." However, it is printed on Ministry of Citizenship business cards. Clearly that ministry seems to be taking a priority.

I can see that it does not bother the Premier that the seniors of this province are being ignored and lumped into a group of five separate responsibilities. I can see that the Premier has no concerns, but perhaps the minister does, and she indeed is who my question is directed to.

What I would like to ask is, who in the minister's government and at the cabinet table indeed speaks for senior citizens? Who speaks for them and when will they, whoever they are, speak for them on issues such as mandatory retirement, long-term health care and the quality of life for our senior citizens, whether the Premier cares about it or not?

**Hon Ms Ziemba:** I will try to address the question a little bit more succinctly. What I would like to say to my colleague in the opposition is that, yes, I am the minister responsible for senior citizens' affairs and I would like to



say, yes, we have had some announcements, and I am sure that he is aware of them.

We announced in December a bill that I was very pleased to announce, and that is the Advocacy Act. That takes into account the fact that we waited in the community, the opposition member will know, for many years to hear what was going to happen. We had lobbied the previous government to work on that particular bill and it was shelved. We had to dust it off and we did. We dusted it off very quickly and brought it to this House.

Yes, we have been working on long-term care as well and we have been working very hard. I spend many hours of my week working on that particular, sole issue, and I am very pleased that when we come back to the House with our final deliberations, the member will see what has changed to make sure that the seniors live in their own community not only independently but with dignity.

[Applause]

**Mr Mahoney:** I think the back bench should applaud, because I have a suggestion that I think a lot of them would like, and that is that the minister ask the Premier to seriously consider appointing one of them to be responsible for senior citizens' affairs to put some attention towards issues. I mean, the minister has a few. Maybe the member for Durham East, who just announced he had obtained the ripe age of senior citizen status, could be the next minister, someone who understands what it is like to ride the buses free and to get the breaks that the senior citizens deserve. I think that would be an excellent suggestion for the Premier.

But I do not see anyone in this government doing anything to address issues of serious concern to senior citizens in this province. In my opinion, this minister with regard to senior citizens is missing in action without any doubt. Would she support this Premier appointing one of the backbenchers to become the minister responsible for senior citizens' affairs, or is she happy to continue doing nothing on behalf of seniors in this province?

**Hon Ms Ziemba:** I am deliberating very carefully in answering this question because quite frankly I have done quite a bit for the seniors. I must seriously ask the member of the opposition what the previous government did for seniors when we waited so long for the Advocacy Act and it did not happen in the community. I would also like to say that it is entirely up to the Premier whom he appoints to cabinet, and I will leave that to his good judgement, as he has done previously.

#### CHILD CARE CENTRES

**Mr Jackson:** I have a question for the Treasurer. Could he please advise the members of the House just how much new money has been recently allocated to the Minister of Community and Social Services to buy out commercial day care centres that are experiencing financial difficulty in this province?

**Hon Mr Laughren:** I do not know the answer. None that I know of.

**Mr Jackson:** On 12 February I raised this issue in a general way with the Minister of Community and Social

Services, and she freely admitted in Hansard that a fund exists, that she has received those funds from the Treasurer and that rather than honouring the Premier's election promise that we pay for pay equity enhancement for day care workers in private day care centres, \$30 million was given to non-profit day care centres, but the profit centres were not funded at all. Because of that discrimination some of those centres will collapse. The minister indicated that she had received the necessary funding from the Treasurer, not in order to give the money to stop the discrimination against these workers, but she had the funds to buy out these commercial day care centres that are already paid for. The Treasurer had given her the money to buy them and convert them into non-profits.

Why is the Treasurer paying for something with taxpayers' dollars that is already paid for and yet continuing with his policies that blatantly discriminate against 8,000 women who work in commercial day care centres in this province? Why has the Treasurer got the money to buy out commercial centres but he does not have money for the women who work in them? It is in Hansard.

**Hon Mr Laughren:** I think I understand now what the member is getting at. There has been for some time, as I understand it, a conversion program for child care centres, but I am not sure what the member is trying to extract from me, because we have announced the assistance for pay equity for the non-profit centres, but we have not made any announcement or decision on the balance.

#### ALCOHOL AND DRUG TREATMENT

**Mr Huget:** My question is to the minister responsible for the provincial anti-drug strategy. Yesterday in my riding I had the opportunity to meet with representatives of the Chippewas of Sarnia reserve to discuss a new substance abuse strategy they have developed for their reserve. They, like many other groups in my riding, are striving to deal with the complex problem of drug and alcohol abuse and are trying to identify treatment needs for the community.

I am aware of an advisory committee report on alcohol and drug treatment and I am also aware that the public has been asked to provide input into this report. Can the minister provide me with an update on the public's response to this very important issue.

**Hon Mr Farnan:** The task force travelling the province is seeking public input on the advisory committee's task force, A Vision for the 90s. There has been a tremendous response. There are very positive, supportive comments for the recommendations of the task force, and as of today the task force will have visited 10 communities. I will visit 12 communities in all. It will finalize its tour of approximately 15 April. We anticipate that between 160 and 180 oral presentations will be made to the task force. What is very encouraging, I have to tell the members, is that a very wide variety of interested parties representing thousands of Ontarians will make presentations—individuals, detox facilities, Addiction Research Foundation offices, district health councils, individuals with disabilities, native peoples' organizations and treatment facilities. Following the task force completion of the tour on 15 April, I



will be putting together its reflections in the form of a report which it will submit to me, and I in turn will discuss that with cabinet and bring forward recommendations in good order.

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#### PROPERTY ASSESSMENT

**Ms Poole:** My question is for the Minister of Revenue. In a recent letter to a North York tenant leader, the Minister of Revenue made the following statement, "Contrary to the claims of the city of Toronto report, the ministry will only reassess apartments and other properties when these have increased substantially in market value due to new construction or major renovations."

If the minister could say those words, I truly believe she does not know what is happening in her own ministry, because contrary to what she has stated, apartment buildings across Metro, particularly in the city of Toronto, have been reassessed where there has been no new construction and no renovations done. Thousands of tenants have had their buildings reassessed and face rent increases because of it.

I would like the minister to tell us what exactly her policy regarding the reassessment of apartment buildings.

**Hon Ms Wark-Martyn:** I am aware that there are assessors out in the city of Toronto, and what they are doing is updating their records; they do this throughout the province. At this time I am also very aware that the city of Toronto is very upset with the assessors out there because it feels it has something to do with market value assessment that has been asked for of the Ministry of Revenue. This is just an update of their records. They do it throughout the province and they do it when the records have become outdated.

**Ms Poole:** This confirms my statement that the Minister of Revenue has absolutely no idea of what is happening in her own ministry. We are not talking about updating records. We are talking about apartment buildings which have been reassessed where there has been no new construction, where there have been no renovations, major or otherwise. Her assessors have filed new assessments on those buildings and tenants are paying rent increases because of it.

If she does not believe me, let me give her a few examples: 1435 Bathurst Street; 39 Pembroke Street; 77 Pembroke Street; 90 Adelaide Street East; eight buildings on Ossington Avenue; a group of buildings on St Clair Avenue West; another set of buildings out in the west end of Toronto, low-income buildings. These are buildings which her ministry has reassessed, even though there has been no change in the improvements in those buildings.

Now that the minister has been advised that this is going on, that it is happening, when is she going to put a stop to it, because it flies directly in the face of her very own policy statement? Second, will she give us her assurance that she will not oppose the rolling back of these improper assessments at the Ontario Municipal Board or the Assessment Review Board? Will the minister give us those guarantees?

**Hon Ms Wark-Martyn:** I am aware, as I have said, that the assessors are out in the city of Toronto. They are updating the records because the records are all outdated. When those records are updated they will not have to reassess those apartments until there are changes in the area.

#### CONFLICT OF INTEREST

**Mr Harnick:** My question is to the Minister of Government Services. It was reported on the CBC news today—and I know from yesterday's ministerial statement how much the government reveres that source—that her election campaign was financed in large part by donations from individuals with a strong connection to the Ontario Public Service Employees Union. Before her election she was the head negotiator of the union in its dealings with the government. Now she is the head negotiator for the government in its dealings with her union. Even the tiniest imagination says this reeks of conflict of interest. How does she respond to this?

**Hon Ms Lankin:** I will resist responding to the comment about the tiny imagination. However, let me say that with respect to the campaign contributions, the report that was on CBC did not say, first of all, that in large part the campaign contributions came from people I worked with at OPSEU over the 10 years I was on staff there. At that point in time it would have been a far stretch of the imagination to have contemplated that, first, we would be in government; second, that I would be in cabinet; third, that I would be Chair of Management Board or Minister of Government Services. There is absolutely nothing wrong with receiving campaign contributions from individuals, particularly from long-term friends. I see no conflict of interest. I see what the member is doing is sheer politicking.

**Mr Harnick:** I have to bite my tongue not to ask whether the minister is serious, because on 21 February she appeared before the standing committee on administration of justice to discuss the proposed conflict-of-interest guidelines. I asked her at that time about her perceived conflict of interest. Today, the public began asking the same question. On 21 February she told me she could leap the bounds of conflict because, "I am a New Democrat."

The public does not buy this explanation. I do not buy it and public perception does not buy it. Only the Ontario Public Service Employees Union buys it. Will the minister not admit, at the very least, that her prior life, compared to her current life, admits the perception of conflict of interest?

**Hon Ms Lankin:** I want to correct the record at this time, as I did in front of the justice committee when this member suggested that my response was simply that I could overcome perceptions of conflict because I was a New Democrat. If he understood that from my comments, I explained to him at that time that in fact that was not what I had intended, that was not the statement I made. He again repeats that as if it is a truism. I want the record corrected on that. I would think that would be an outrageous position for any cabinet minister to take simply because she was a member of one political party over another, so I would like that record corrected.

With respect to a conflict of interest, this question has been asked several times now in the House and it has been



asked by members outside of the House in private conversations with me, members from the opposition parties. I spent a number of years working in the trade union movement, particularly with OPSEU, as a negotiator, and in a number of other positions as an equal opportunity co-ordinator and an economic researcher. I gained tremendous skills during that period of time and a knowledge of the inside working of governments and labour relations, which helps me bring to this job, I think, a background and experience beyond that which many of our other colleagues at this time, and members on the other side of the House, have.

The job I have as a corporate employer at this time goes far beyond dealing simply with the bargaining unit. I am responsible for directions and policies for all employees, 90,000 employees, not just bargaining unit employees. I see no conflict of interest. I ask to be judged on the actions with which I carry out the duties of my job.

#### NOTICE OF DISSATISFACTION

**Ms Poole:** On a point of order, Mr Speaker: I would like to express my dissatisfaction with the answer from the Minister of Revenue, who has shown she neither understands the question nor indeed knows what is happening within her own ministry. I would ask for a late show at 6 o'clock.

#### FARM ANIMALS

**Mr Mills:** My question this afternoon is for the Minister of Agriculture and Food. I ask this question, and I am sure there are many people on all sides of the House who are great animal lovers, as I am. I have had the opportunity to visit a farm that raises small calves for the gourmet meat market. I must say the visit was very upsetting. These little animals had neither room to lie down nor stand up, and they had no straw. In fact, as an animal lover, I found the whole experience very upsetting. My question to the minister is, is this an acceptable practice for keeping farm animals in Ontario?

1510

**Hon Mr Buchanan:** I am sure the member and the members of the House realize that this is a very sensitive issue. There is a code of practice in Canada for the production of veal. It is a code of practice that was developed in consultation with agricultural people, with scientists, and it was agreed upon by the Canadian Federation of Humane Societies, which laid out standards for the size of confinement areas and laid out some guidelines as to what is acceptable in the production of veal.

By and large, as far as I know, that code of practice is adhered to by farmers in Ontario. The Ontario Farm Animal Council does inspections of farms, visits farms any time there are complaints, or does random visits to farms to make sure the code of practice is complied with. We in the Agriculture and Food ministry believe that all farmers are doing their best to adhere to that code of practice. If they are not adhering to it, I would very much like to know about it.

**Mr Mills:** I would like to suggest to the minister that his ministry perhaps take the protection of the animals one step further. I refer to the House of Commons in the United Kingdom. On 1 January 1990 they issued a regulation called the welfare of calves regulation, and this regulation is intended to ban the veal crate and applies to all calves in the United

Kingdom. It says that from January 1990 it will be a punishable offence to keep a calf in a single pen unless: (1) the pen is wide enough; (2) the calf is able to turn around without difficulty; (3) it has adequate dietary iron to maintain it in full health and vigour; and (4) from two weeks old it has sufficient fibrous food for the development of the digestive system.

My supplementary to the minister is, would your ministry consider taking a look at that type of regulation to introduce in the province of Ontario?

**Hon Mr Buchanan:** I would like to inform the member that there are no plans at this time to deal with that. However, I have a meeting set up in the very near future with the Ontario Farm Animal Council. We are going to be discussing animal welfare, livestock welfare, and I am always willing to listen to concerns of different groups, agricultural and otherwise. We will be having a meeting and no doubt that will be one of the things they will wish to bring to my attention.

#### MINISTERIAL STATEMENTS

**Hon Mr Allen:** On a point of privilege, Mr Speaker: It was, earlier in the question period or just prior to it, alleged that I had made an announcement of a government program outside this House. I want to make it clear, first of all, that I take my obligation to do that kind of thing very seriously here before the members before anyone else hears about it.

Yesterday at a conference sponsored by my ministry on methods and techniques of improving equal access for all underrepresented groups in the university system, I referred to a holdback of \$21 million on the transfer announcements. Later, speaking with a reporter, I indicated to her that I will be making some announcements in the future around programs that would enable access to better take place for visible minorities. She put the two things together as though it were a formal announcement. It was not such an announcement. When those announcements are ready the member for Nepean, like others, will hear about them in the proper fashion.

**The Speaker:** The members should be aware that it is a point of personal explanation and a point of privilege. The member for St Catharines has the opportunity to place a question and proceed now.

#### CAT SCANNER

**Mr Bradley:** My question is for the Minister of Health, regarding the need in the Niagara Peninsula for a computerized axial tomography scanner, a need which has been present for some time. The minister would likely be aware that the Niagara District Health Council made a recommendation last year that there be, in fact, a second CAT scanner placed somewhere in the Niagara Peninsula, either at Greater Niagara General Hospital or at the Welland County general Hospital or at the Hotel Dieu Hospital in St Catharines.

At the present time about 7,000 scans take place in a year, and the backlog for elective scans is about five months. This, in effect, means that people have to go to Buffalo to get a scan or out of the region. The need is genuinely there.

Could the minister inform the House when we could expect an announcement from her to approve the placement of a second CAT scan machine in the Niagara region under the



auspices of one of those hospitals, in recognition of the fact that I am sure the local community, as it does in these instances, would be prepared to raise the necessary capital funds if the operating funds are forthcoming and the approval is given by the minister?

**Hon Mrs Gigantes:** I have to inform the member that I cannot inform him at this time when an answer could be given him on this question, but I have asked the ministry to provide me with information about the situation as he describes it and to give us an assessment of exactly where this would be in terms of priorities for the installation of a new CAT scanner.

## MOTION

### CONSIDERATION OF BILLS

Miss Martel moved that standing order 85 respecting notice of committee hearings be suspended for consideration of Bills Pr29, 38 and 52 by the standing committee on regulations and private bills on Wednesday 27 March 1991.

Motion agreed to.

## PETITION

### ABORTION

**Mr Jamison:** I present this petition with over 1,800 signatures of residents of the riding of Norfolk who call upon the Legislative Assembly of Ontario to enact laws to protect the rights of the unborn child and to withdraw its decision to fund abortion clinics in Ontario.

## NOTICE OF DISSATISFACTION

**The Deputy Speaker:** Just on a point of order, pursuant to standing order 33, the member for Eglinton has given notice of her dissatisfaction with the answer to her question given by the Minister of Revenue concerning the reassessment of apartment buildings. This matter will be debated at 6 o'clock.

## ORDERS OF THE DAY

### INTERIM REPORT, SELECT COMMITTEE ON ONTARIO IN CONFEDERATION

#### RAPPORT PROVISOIRE DU COMITÉ SPÉCIAL SUR LE RÔLE DE L'ONTARIO AU SEIN DE LA CONFÉDÉRATION

Resuming consideration of the interim report of the select committee on Ontario in Confederation.

Suite de l'examen du rapport provisoire du comité spécial sur le rôle de l'Ontario au sein de la Confédération.

**Hon Miss Martel:** Mr Speaker, we have agreed again to share the time among the three parties.

**Hon Mrs Gigantes:** C'est un grand plaisir de participer à ce débat aujourd'hui. I am very pleased to be able to say a few words in appreciation of the work of this Legislature's report of the select committee on Ontario in Confederation. I think it is a important report and I hope its value to the current discussion of the future of the country will be recognized by people in this province and people across Canada.

It is a modest report, just over 30 pages in length, but I have read it with a sense of pleasure and hope because I think it gives us a good sense of the seriousness and concern with which people in Ontario are thinking about our collective future. It tells us about the very real attachment we have to this country. We have been through periods of exasperation, of anxiety, of irritation and of downright fear, but we maintain a commitment to the being of Canada, to its existence for us and for the world and to its continuance as a distinct and wonderful homeland for our children.

In its modest and typically Canadian style, the report tells us that hundreds of Ontario residents are ready to talk about the future of our lives together as Canadians because they deeply wish to see Canada continue to exist. When I think back over the years of struggles which have brought us up to this point—and we are now talking of a full three decades—I can truthfully say that I believe the tone and the seriousness of constitutional discussion has reached a new and better level.

There have been many points, and last summer was surely the most painful, when we might have despaired that people in this country could have ever come together with enough positive feeling to create a new and better framework for how Canada works.

1520

But this report, taken along with discussions which we have seen recently during the joint Commons-Senate committee hearings on the Constitution and some of the discussions generated by the federal Spicer commission, gives me a much more hopeful feeling about the possibilities for progress in rebuilding this country of ours.

Having followed the course of national debates on the Constitution for nigh on to 30 years, I do not want to be overly optimistic. We are in the strange and troubling situation of beginning to make progress just as time is fast disappearing. But we must not fail because we lack courage and we must not fail because we lack faith.

The first report of our Ontario select committee encourages us and inspires us. The Ontario residents who gave us their views through the committee have told us the job is worth the effort and that they want to be part of the effort. They have given clear voice to the wish and the will to be included in the process of re-creating Canada. They express some divided views about what the new Canada should look like, but they are of one mind about the requirement that Canadians, all Canadians, should have the opportunity to express themselves on the shape of the new Canada, and that is a very hopeful sign.

It is also a sign that we have rarely seen before in this strange and singular country. We may have grumbled and complained; we may have wondered and even whined; we have, in isolated instances, actually rebelled, but for the large part, and very consistently, we have permitted our leaders to describe us to ourselves, to define our loyalties for us and to define our values as citizens of Canada.

It is not that now we are rejecting leadership or history or regional concerns of a traditionally based nature; it is that we are beginning to be ready to move ourselves forward with our own energies, to weigh our values and our



fears on scales of our own making and to say what we truly care about with our own voices.

During the fall and throughout this winter, I have tried to learn as much as I could about how people in this province were feeling about Canada. As I listened to them talk and as I exchanged points of view, I sensed a very deep feeling of sadness. People were shocked, people were discouraged and people were sad.

I think it is often the case that human anger is not a primary emotion but that human anger is a cover for hurt and fear. In an important way, I think we may have turned the corner on hurt and fear in this country. We have been able to speak to each other about our sadness instead of covering it with anger.

That is not true of everyone in Ontario or in Canada, but it certainly is true of an enormous number of people in Ontario and in Canada, and it is to me a very hopeful sign. It may be true, as Joni Mitchell's song says, "You don't know what you got till it's gone," but I think an overwhelming number of people in this country feel very deeply that the being of Canada, the existence of Canada, is almost gone and that they are not willing to let it go. They know what we have got and they do not want to let it go.

If that is true then we can begin anew, and it will have to be anew. The old kind of leadership, the old histories, the old regional loyalties, the old ways of defining ourselves and this country all will have to give place to new values and new ways of expressing values.

In practical terms, this will be very, very difficult to achieve. We have no recipe to follow. There is no formula at hand. We will have to summon all our individual and collective resources and focus them as carefully and reflectively as we can. We will have to question our own positions, develop the patience to understand others and think very carefully about the effect of what words we use.

As we do and as we make the effort to re-create what we have come so close to losing, we can take heart in knowing that hundreds of Ontarians who have been heard and millions who have not yet been heard are ready to join in that process, and that millions of Canadians who live in other parts of this fair land are prepared to do the same. This may be our last chance. It may also be our best.

**M. Grandmaître :** Merci, Monsieur le Président. Je voudrais terminer le débat que j'avais commencé hier. Je crois qu'il me reste trois minutes pour conclure mes remarques. Alors, je voudrais simplement profiter de cette occasion pour parler de la cause franco-ontarienne : le rôle de l'Ontario au sein de la Confédération.

Je crois que l'Ontario a toujours été très bien représenté lorsqu'il y avait des débats constitutionnels. Si vous pouvez retourner dans l'ère de M. Robarts, de M. Davis ou de M. Peterson, la province de l'Ontario a toujours été très bien représentée. Maintenant il appartient au présent premier ministre de l'Ontario de prendre la relève, chose qui n'est pas facile, je l'admets, et je lui souhaite bonne chance.

Par contre, depuis le 6 septembre la stratégie du nouveau premier ministre de l'Ontario en était une de ces —

**Le Vice Président :** Vous avez eu l'occasion hier de vous adresser à la Chambre, et peu après ça a été au tour de M. Allen qui vous a remplacé. À mon point de vue, vous n'avez plus l'autorité maintenant de discuter du même sujet. Alors, je crois qu'il y a certainement une erreur.

Perhaps I should repeat what I have said. The member for Ottawa East had the opportunity yesterday to debate on this issue. He finished his speech and the Minister of Colleges and Universities replaced him. So in my opinion, according to the information that I received from the table, he is no longer allowed to debate on this issue.

**Mr Elston :** The individual had, when he took his turn, about eight minutes left on the day's debating. He was the last Liberal to speak. We had assumed there was an ability to spend up to about 10 minutes. Because we ran out of time on the day, we felt that he could start our time on the next day. It seems possible to me that he should be given the remainder of that 10-minute understanding. We did not mean him to be cut off. It was merely a fact that we ended up with 8 minutes instead of the full 10 at the end of the time.

**The Deputy Speaker :** I will just consult the table.

If there is unanimous agreement that we allow the member for Ottawa East to finish his time, we will do so. Agreed?

Agreed to.

**M. Grandmaître :** J'apprécie beaucoup, Monsieur le Président. Maintenant que nous avons l'ordre, j'espère que le premier ministre ne mettra pas si longtemps à prendre une décision en ce qui concerne la Confédération, ou les amendements dont on a besoin à la constitution. Alors, je veux simplement glisser un message au premier ministre et même lui lancer un défi : que les Franco-Ontariens sont à l'écoute. Les Franco-Ontariens s'interrogent présentement de leur avenir parce que le premier ministre de l'Ontario désire présentement se tenir à l'écart de tout débat constitutionnel. Comme je l'ai mentionné hier, le premier ministre a refusé de rencontrer les premiers ministres et le premier ministre du Canada pour en discuter.

Alors, je dois dire que depuis cinq ou six années les Franco-Ontariens ont connu beaucoup de progrès en Ontario et nous avons l'intention de maintenir cette orientation et ces tendances. Maintenant, c'est la responsabilité du premier ministre de l'Ontario de prendre la relève de M. Robarts, de M. Davis et de M. Peterson, comme je l'ai mentionné tantôt.

Les députés savent que le premier ministre de l'Ontario a souvent livré des discours très passionnants concernant la dualité ou la reconnaissance des Franco-Ontariens. Je dois souligner qu'il appartient maintenant au premier ministre de l'Ontario de garantir aux Franco-Ontariens, si jamais la séparation du Québec survenait au Canada, que les services en français en Ontario seront respectés et même améliorés.

Je veux encore glisser le message au premier ministre que l'avenir appartient à ceux qui sont prêts à le défendre. Maintenant, c'est au tour du premier ministre de l'Ontario — et je le répète, qui s'est tenu à l'écart du débat — c'est maintenant sa responsabilité à lui de défendre les



roits non seulement des Franco-Ontariens, mais de tous les Ontariens et Ontariennes. Merci bien.

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**Mr Carr:** I am very pleased to rise on such an important occasion to speak on the report, and I very quickly want to thank all the members of the committee for their work. I understand it was quite an experience. I was one of those who was hoping to get on that committee. I understand that they worked extremely hard, so for that, we thank them.

I believe it is a very important issue. Canada is about to redefine its structure and its methods of operating. Quebec, through the Allaire report which was tabled, has articulated its position. On one hand, we have a vision of a decentralized Canada through the Allaire report; now it is the other provinces' turn.

As the largest and historically most powerful province, now Ontario must outline its position. I would urge that, although we must be thorough in the context of history, the time will be short. Nine other provinces, indeed all Canadians, are questioning our present system.

Can it be done better? One province has reported that its time frame will be 18 months and then it will hold a referendum that may include separation or sovereignty-association. Dialogue must continue, but our dialogue must now move away from the emotional side and move to the more practical side.

How do we in Ontario see Confederation in terms of the powers between the federal and the provincial government? Page 4 of our report talked about the feelings, values and concepts that are important to the people of Ontario, and now what we need to do is to decide whether the federal or the provincial government can best articulate those concepts, values and feelings. Now we need in-depth analysis of specific issues. This will be a difficult and, I might add, probably a highly intellectual process: What does Ontario feel about the Senate? What about appointments to the Supreme Court? Should those appointments be made by the provinces or by the Prime Minister of this country?

On page 6, we talked about the need for greater voices for various groups throughout our province, and now the question must be asked: Who best speaks for those individuals? Which level speaks for the groups? Is language to be a provincial responsibility? What about culture? Which level will deal with the native issues? Will it be the federal government, the provincial government or both? A clear, concise definition of the powers, with no overlap, will eliminate the mindless finger-pointing that has gone on.

Historically, provinces have always criticized the federal government. This can be eliminated if we define very clearly which level of government will have the powers. It will eliminate the problem where the provincial government in some cases has abdicated its responsibility by blaming the federal government, and this is what has made politicians cynical in the eyes of the public. It happens at all levels. The municipal levels blame the provincial level. The provincial levels blame the federal level. A clear division of powers and taxation authority would eliminate that. Allowing one level of government to have a say in another level of government's area of responsibility has

inflamed the finger-pointing process which, again, has made the public so cynical.

Modern management practices teach us to have clear lines of authority, but in government we have two Environment ministers, two Labour ministers, two Solicitors General. Then we wonder why we have turf battles. If we simply clarify responsibility, we will do more to improve the relationship between the provinces and the federal government than all the goodwill in the world. We now spend more time negotiating cost-sharing programs than we do ways of trying to control cost and eliminate waste. Regardless of what your vision is in any area, one must first decide whose vision counts. Who has the authority and responsibility to govern in what area?

On page 7 of the report, we talked about compromise by all parties, and that is what is going to be needed. Anyone who has negotiated knows you basically have three positions. The first is your "like" position, the second is your "intent" position, and the third is your "must" position. We must very clearly articulate our position, knowing full well that our "must" position, if it does not agree with some of the other provinces', may result in the disintegration of the greatest country on earth. We know Quebec's "like" position in the form of the Allaire report, and the Bélanger-Campeau report which will be coming out tomorrow will again articulate a very decentralized Canada. Fundamental questions need to be asked. Do we insist that all provinces have the same powers and, very clearly, what would those powers be?

Ontario must take a leadership role in the renewed Canada. To take a leadership role, we must be prepared to face the gut-wrenching decisions which until now have been avoided because of political expediency. Canada is too important to worry about public opinion polls. As Martin Luther King said about leadership, if you want to move people, it has to be towards a vision that is positive for them, that taps important values and gets them going on something they desire, and it has to be presented in a compelling way that they feel inspired to follow.

Canada and Ontario, like never before, need leadership. How do we reconcile the historic conservative nature of the west with the rest of the country? New parties are springing up, very different from the three political parties of today. How do we deal with the western alienation without losing more control through the province of Ontario?

I am reminded of what Christopher Columbus said during his voyage, "I don't know where we're going, but we're getting there fast." Let's be results-oriented in this process. Let's spell out very clearly what we would like to see. Let's see our vision so that then we can take a look at the other provinces and settle it once and for all. The world is passing us by. Let's decide who has the power to decide what to do. I want my children to be able to say that they, too, grew up in the greatest province in the greatest country in the world. Please, let's not let them down.

1540

**Ms Harrington:** I wish to address the Legislature on several aspects of the report of the select committee on Ontario in Confederation. I was honoured to have been chosen by the Premier to sit on this committee. I travelled



with the committee to northwestern Ontario. We went to Kenora, Dryden, Sioux Lookout, Thunder Bay and Sault Ste Marie before, unfortunately, I was called away to another important task, that of steering Bill 4 through the treacherous waters of the standing committee on general government.

I wish to give you some personal perspectives of my time with this committee. Throughout the northwest, aboriginal people spoke of their culture, of their respect for the land, of living in harmony with the land. Native attitudes of traditional stewardship of the land for future generations are attitudes that we can try to absorb and integrate with our current environmental concerns. Less desire for material goods, less competition, more sharing—indeed, all of these are concepts we all need.

In the Ministry of Housing, we are beginning now to work with native communities on providing housing, in a process where they will tell us what is appropriate for them—not we, the non-natives, imposing our values on them.

I learned from the native communities, secondly, how fragile language is. Almost 50 native languages are now in the process of disappearing, and this cannot be reversed. They will be gone for ever in just a few short years; 10 years at the outside. Language is indeed fragile and very easily lost.

The Franco-Ontarian community in northern Ontario is very much a part of Ontario and has always lived here. Their linguistic heritage could be lost also if there are not active, rather than passive, preservation efforts.

Let us, the English-speaking Canadians, for a moment picture ourselves in a role reversal. How would we feel living in the province of Quebec, surrounded by a vast majority of French-speaking Canadians? Would we not be at risk of losing our language and culture? How would we feel after several years? Would we feel like putting up barriers of language protection? There is a saying from the native community, “We can’t make true judgements until we have walked a mile in their moccasins.”

Third, our discussion paper asked what values we share as Canadians. One strong answer that came out was that Canada is a country which respects and values diversity. If we are able to do this, it really does show, I believe, a leadership to the whole world. It is not something that is innately easy or natural for human beings to do.

Look at the history of European domination over the past 500 years. We the people of European heritage were always right. We knew how to do everything. We had the correct technology, we had the correct religion and we knew what was right for everyone else. In fact, North American culture was built on “bigger is better.” That is our way of doing things—progress at all costs. Only now are we realizing that there must be a balance, a harmony in our relationship with nature, with our earth and with other cultures, that we certainly do not have all the answers. We are learning respect for the earth, we are learning respect for the abilities of women and we are learning respect for other cultures. I believe that is precisely why we have legislation in progress and also in the past, and we are

totally committed to environmental protection, pay equity, employment equity.

Failure to recognize multiculturalism has real consequences here in Ontario. There are young children growing up in Ontario and in Canada feeling like second-class citizens. There are young people facing barriers to fully participating in society. We all know this. Laws against discrimination must be enshrined not only on paper but in our hearts and in action. Let us show the world that Canada is indeed a country which respects and values diversity; and I do know how very difficult that is to do. I submit that equality does not always mean treating everyone equally. Equality may mean the sensitivity to treat people differently or uniquely.

This select committee found that Canada is extremely important to the people of Ontario, and Ontario must, I submit, play a leadership role in negotiating a renewed Canada. I hope, as one of our previous members said today, that we have in fact turned the corner on hurt and fear and we can work together.

**Mrs McLeod:** As I think back on the intensity and the divisiveness of the constitutional debate over the past year and as I now listen to the voices being raised in Quebec, in other provinces across the country and here in Ontario, I want to take a moment out from the sound and the fury and reflect on the most basic of the issues that have led to this debate. I have decided that I would like to take these few minutes not to discuss the range of options that must be considered as we face the months ahead, not to analyse the impact of those options, but simply to acknowledge, perhaps emotionally more than intellectually, the depth and the significance of the challenges of these times.

Some months ago, my 17-year-old daughter wrote a song that I believe captures the questions of a generation of young Canadians. I would like to share just the words of the refrain with members of the House, as my daughter asks:

Where is the home that I love?  
How come I don't feel so proud?  
Where is the unity?  
Is tolerance obsolete?  
Will the nation crumble?  
When will these days end?

If members could hear the words and the music, they would know that this is a song from the heart and soul of a young person who loves this country and cannot understand why its very existence is threatened.

I am a parent concerned about her daughter's future. I am a Canadian concerned about my country's future. I am a legislator with a responsibility for leadership, so I must find the strength and the wisdom to respond to my daughter's questions. It is not enough to say, “I care, but I don't know what to do.” This is not a time to say to Quebec: “We care, but if you must go, we'll let you go gracefully. We can part as friends.”

We are more than friends and neighbours. We cannot simply be business partners. We share a country. Together we have built this nation in good times and difficult ones, with pride and sometimes with despair, with both love and



resentment. Good relationships are never easy to create or to sustain, but we have all of us shared a vision together, a vision of something different, something we have been creating from our own struggles, from our unique experience of evolving nationhood, of growing together. We cannot give it all up now, even if we are too weary, or too angry, or confused and unsure of what to do next.

Our relationships with each other across this country have certainly not always been managed well. We are of many different cultures and our realities from region to region are not the same. Different realities, different perspectives and therefore different needs have led to many misunderstandings. Anger over the misunderstandings has led to distrust, distrust has too often become resentment and it is now only too easy to retreat to the fortresses of our own defences.

This is no longer a question, and it probably never has been, of the relationship between English and French, between Quebec and the rest of Canada, between the federal government and the provinces. The relationships under siege are the relationships between all regions and governments and communities of people across this nation. Let us indeed acknowledge the west's resentment of central Canada, Newfoundland's constant frustration, the prairie farmer's sense of neglect, the aboriginal person's despair, the isolation of the north. We are a nation of differences. Understanding and accepting these differences can be difficult, yet if we fail in this, unity is an impossibility.

We cannot simply try to save what we have. I do not believe that what we have has ever been good enough. If unity is to be preserved, it must be rebuilt on a much stronger foundation of mutual understanding, respect and a willingness and ability to respond to those very different needs and realities. There will be a willingness to make the effort that is needed only when we are able to affirm the values that we share: a love of this country that we have been shaping, an emotional commitment to the concept of a land stretching from sea to sea, a pride in our tolerance and in our many hard-won distinctions.

No debate has been more divisive in this country than that which took place over the Meech Lake accord. Yet the terrible irony is that a majority of those who supported the accord and of those who opposed it not only cared very deeply about the future of this country, but also shared a common belief in the importance of a strong and continued federation.

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We differed in our beliefs about how to achieve the goal, but we did not differ in our values, however those were allowed to become distorted and misunderstood on all sides. Now, if we care—and all of us do—there is no choice but to start again. There is only one place to begin again, and that is with an understanding of the essence of this nation.

The Canadian nation is unique because it has been built from its beginning on a respect for one another, an acceptance of differences, a willingness to live and work side by side, celebrating our differences as a source of pride and strength, not trying to submerge them. From the commitment at the time of Confederation to the acceptance of two

cultures and two languages has come our continued commitment to valuing our evolving, multicultural identity, and from our commitment to mutual respect and acceptance we have grown to be a nation regarded throughout the world as a place unique for its tolerance.

The debate about the future of Confederation cannot be simply rational and analytical. It must begin with an emotional recommitment to what we are and what we want to be. It must begin with a willingness to reach out to each other and say, "Let us stay together," and we must care enough to make the effort for what must be done next, to re-examine the most fundamental structures of our relationships. Changes in our traditional arrangements can serve the purpose not of undermining our unity but of building a stronger federation based on that respect of our differences, the most essential of our shared values.

If we fail to do this, if we cannot listen and understand, if we cannot distinguish what we have been from what we must be, if we simply disengage from the debate, we fail those who have struggled to build something truly unique in this nation and we fail the sons and the daughters who depend on us. They depend now on our leadership.

**Mr Arnott:** I am very pleased to have this opportunity to speak to this debate on the interim report of the select committee on Ontario in Confederation. I felt very privileged to serve for a week on this committee when it made its foray through southwestern Ontario, through the communities of Windsor, London, Kitchener, Brantford and Hamilton, and I would like to congratulate the committee, especially the member for Dovercourt, for the report.

Today I would like to confine my remarks to how I feel we in this assembly should approach this debate. The report, I feel, is a demonstration of goodwill to the rest of the country, a conciliatory message that Ontario values and respects the concerns of all Canadians. It is the message that the rest of the country needs right now, for we are as fragmented and in as bitter a national mood as we ever have been in my lifetime and, in my knowledge of history, in history.

Canadians are disillusioned with us, their elected representatives, suspicious of our motives and our actions. They have lost confidence in their governing institutions. If we as legislators are going to be involved in this debate, and we will be involved in any restructuring of the federation, we have to re-earn our credibility, in my feeling.

What must be our response to this debate? I think people are right now crying out for renewed political leadership. We legislators must find inspiration to inspire others that this country is worth saving. Recently I have found inspiration in the writings and speeches of President Abraham Lincoln who, like us today, was faced with a divided country, a country whose greatness was inhibited by its internal divisions. Now, God help us, we in Canada will never resort to civil war or armed battle to resolve our problems, such as was the case in the United States in the 1860s, but I think we as legislators can look to the past to find guidance for our future.

President Lincoln talked in his first inaugural address of something he called the "better angels of our nature." What he meant was our better selves, how Americans of



his day needed to find within themselves their core values of caring, tolerance, honesty and responsibility and constantly strive to bring these forward and set aside—we could call them their lesser angels—their partisanship, their willingness to take the expedient route, the most politically acceptable stance, set these aside in favour of the better angels.

All of us in this Legislature must do this on a day-to-day basis if we are to regain the trust and the confidence of those who sent us here to represent them. If each of us does this, we will regain the credibility to act on behalf of our constituents while constitutional changes are considered.

Another of Lincoln's most famous addresses, his second inaugural speech, included the plea that his country unite with "malice toward none, with charity for all." We need to promote this idea now in Canada, a generosity of spirit towards Canada, putting Canada first and our own narrow self-interest aside whether they be provincial or regional or economic or cultural or based on ethnicity or sex. We must not lose sight of how richly blessed this country is: the freedoms we enjoy, the rich cultural heritage we have, our economic opportunities that relative to many other places are far superior.

In closing, I would like to mention how one of the great historical strengths in this country has been its optimism. Whether we look back into our history to the pioneer settlers of this country who came with little more than optimism, to Prime Minister Laurier when he talked in his 1904 speech about the fact that in his feeling the 20th century would belong to Canada, to the incredible optimism of my parents' generation, the postwar generation, where we felt that the world could be ours, we must recapture this optimism, for without it the country may be lost.

**Mr G. Wilson:** I am very pleased to rise to speak in this important debate on this committee's report on Ontario's place in Confederation. I was privileged to participate in the committee's hearings as it went from Ottawa to Toronto in its last week of hearings and was impressed with the capable efforts of the committee members, the need to be vigilant and to be resourceful. Certainly, they were guided by the capable Chair, my colleague the member for Dovercourt. I think that they achieved a great deal in their perseverance.

I want to say too, though, I had the feeling that we were invigorated by the presenters, and certainly the ones whom I saw represented a great range of opinion in Ontario. I want to say too that although passion sometimes was not, I guess, inspired with wisdom, most of the presentations reflected a great deal of work and thought on what Ontario's place in Confederation should be. Not entirely that—there were a lot of presentations that spoke in more limited ways—but certainly one of the purposes of our constitutional arrangements is to speak to questions of the place of minorities in our province and subjects like economic justice.

I want to look for a moment at the range of presenters, because in one way they certainly represented all ages, but I think the other remarkable thing was the groups that the presenters represented, people who, I think, felt they were left out of previous constitutional discussions. I am think-

ing of the aboriginal peoples, for instance, and women and people who are differently abled. They came forward to speak to us about the importance of this project that we were undertaking and to make sure that their voices are heard when it comes time to look at the arrangements we are going to go forward with, because I think it is accepted that Canada is at a crossroads here and the discussion that we are undertaking here and the submissions that we are taking in this committee are crucial to how we resolve this impasse that we are at.

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I want to refer to an anecdote that I think is close to the Canadian experience when we think, what does it mean to be a Canadian or an Ontarian? Of course there is a wealth of experience, but one simple example is something that occurred to me when I was heading back to my riding of Kingston last week. Leaving Toronto it was a fairly nice day, a good spring day. There was no rain and the snow had all gone. But just west of Belleville we ran into a totally different world and the hubbub that the car, the coach of the train, had become up to that point suddenly ceased and a hush overtook the passengers. Of course we were thinking about how suddenly things could change in this Canadian spring, how what looked to be a normal spring day had suddenly become a spring snowstorm.

It occurred to me that as we were thinking about this, in our silence, people were using different languages in doing this. Certainly I was thinking in English, my colleague to the left was thinking in French, from our discussions later, and I felt that that was the one thing that kept us in touch with our foreparents in this country, that the way we look at things as simple as a spring snowstorm, the things that can unify us in taking us out of our other kinds of conversations, suddenly take on an added importance. When we look back to how our forerunners handled these things, I think it has kept us in touch with what this country is about.

But I think it is significant too that I was on Via Rail, which is also a way of combining us, or uniting us, I should say, something that is threatened and something that I think we can work together to hold, and that would help us hold together as a country.

I think from the hearings and from looking at the report I took away a feeling that Confederation has not worked for a lot of Canadians. I think this crossroads that the committee has identified has offered us a chance to try again at making a Confederation that will help all groups in our society and that certainly the government's approach in this matter has given them the opportunity—and again, I mention the aboriginal peoples, women, people with different disabilities—to come forward to give their point of view.

This is only an interim report. I hope that this committee will carry on this very fine work to sharpen the images that these groups are bringing forward and help us with our way forward at this important time to make Confederation work for all Ontarians. I think, as I say, that the committee has done well in its first part and I wish it well in the rest of its work.



**Mr McGuinty:** I too would like to begin by thanking the members of the select committee for the valuable service they have rendered in preparing their interim report. We would do well to recognize the long hours of work spent by the members on the road, away from their families, and in their final preparation of the report. They have made a valuable contribution to an important process, which is only just beginning.

It is my pleasure and privilege to speak today on the matter of the constitutional debate which is once again coming to the fore in our province. This debate has many intricate facets and I am hopeful I will be able to contribute something of value relating to one of those facets. Specifically I wish to speak to the leadership which is called for in the matter of Ontario's role in a changing Canada.

The challenge before us is both formidable and daunting. Some of my fellow members may, like me, feel personal inadequacies in approaching what I believe will be the single most important issue we will wrestle with during this Parliament. We might begin by asking ourselves what experience it is that we have in this business of lending shape to a country undergoing change. In the practical order, most of us have little, if any, experience in matters of this nature, but that is not to say we come to the process with empty hands, with nothing of substance to contribute.

On the contrary, by virtue of being Canadians we have a magnificent array of tools for use in matters just like these. We have inherited these tools from our forbears. They are the same tools used by the Fathers of Confederation to construct our national foundation in 1867; the same tools used in reshaping Canada to accommodate the six provinces and two territories which later joined our Confederation; the same tools used to build space for the hundreds of thousands of immigrants who have over the years chosen Canada as their home; the same tools used effectively over the past 124 years in meeting challenges to Canada, challenges emanating both from within and from without; the same tools which have made of our country a great country and of our province a great province.

The tools which will enable Canadians to do all this, the tools which have served and can continue to serve us well, if only we use them, are these: compromise, tolerance, respect, caring, compassion and love. If we use these tools in our efforts to meet the challenge presently before Ontario and Canada, I have every confidence that we will meet with success. If we put down our inherited tools and instead rely upon indifference, selfishness, intolerance, contempt or hate, then we will seal our fate, because these are not tools for construction but rather implements for destruction.

When times are tough, and these are tough times, the innate response of people, the response which comes to us most naturally, is one which causes us to lose our charitable spirit. The tendency is for people to look inwards, to look out for themselves. In the Canadian context, our differences, differences based on language, place of origin, colour, religion and culture, differences formerly seen as a source of our national strength, are suddenly perceived to be our source of weakness.

If ever there was a time that called for this government to exercise leadership, now is that time. This government must not shrink from this responsibility. Leadership is not an option for this government, it is an obligation.

There are those who would argue that in the matter of things constitutional, politicians show little, if any, leadership. Many of these people are levelling legitimate criticisms at the process surrounding the Meech Lake accord, and particularly the lack of opportunity for public participation.

I think it is important for us not to exaggerate this criticism beyond its legitimate bounds. This criticism rightfully calls for much greater opportunities for public participation and constitutional debate. This government has and will, I trust, continue to afford the people of Ontario with such opportunities.

But I believe it would be a tragic mistake for any of us to interpret the Meech Lake aftermath as dictating that we, the members of this House, are not to show leadership in matters of constitutional debate. If we misinterpret Meech Lake in this way, we are confusing our public's revulsion for deception and manipulation with their rightful expectation of sound leadership.

We should also recognize a political reality connected with both the subject of our constitutional debate and the leadership role to be played by this government. That reality is that the issue of our Constitution is one which arguably attracts more avid interest from more vocal and disparate interest groups than any other single issue. In simpler terms, no government can effectively deal with this issue, can show leadership on this issue, can make choices on this issue and not risk alienating sizeable segments of our population in one fell swoop. Constitutional matters have become the hottest political potatoes of all.

Is that a justifiable reason for this government, or any government in Canada for that matter, to avoid assuming a leadership role in the matter of constitutional debate? Absolutely not. The risks are too high; the stakes too high. Leadership, strong leadership, in this matter is not an option for this government. It is an obligation. Furthermore, by virtue of our very history, by virtue of our strength, our province is commissioned to show leadership in matters of the Constitution. If this government does not show strong leadership, if it merely presides over events as they unfold around us, it will be shirking a solemn duty owed not only to Ontarians but to all Canadians.

The question that now presents itself is this; when should this government begin to show leadership? I believe that hour is now upon us. Our select committee has completed its first stage of work. The federal Citizens' Forum on Canada's Future has filed its interim report. The Bélanger-Campeau commission has completed its hearings, and I understand tomorrow it will be tabling its findings in the Quebec National Assembly. The Allaire report has been adopted by the governing party in Quebec.

Canada, Ontario included, is not unlike a ship adrift in a constitutional fog. Until we found our bearings, it would have been foolish, possibly even dangerous, to set sail in any given direction. But now that we have our bearings, it is time for the Premier to chart a course and to set sail. The course may have to be altered somewhat as we proceed,



but that is to be expected. What is important now is that Ontario get under way, that this government, rather than the federal government or other provincial governments, assume responsibility for our course.

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In exercising its leadership in its efforts to build upon our Constitution, it is essential that this government make use of our inherited tools, those of which I earlier spoke: compromise, tolerance, respect, caring, compassion and love. This government must act explicitly to counter those darker forces which gain prominence in any society experiencing difficult times. Rather than turn inwards, we must continue to reach out for those less fortunate, those whose rights are easily trampled underfoot. We must remain ever vigilant against selfishness and intolerance.

Toujours dans ce sens, il y a un message particulier que le gouvernement devrait transmettre immédiatement et de façon claire et nette. Ce message devrait s'adresser à tous les groupes minoritaires en Ontario. Il s'agit d'un message de réconfort et de sympathie. Il devrait refléter ce qui sera, je l'espère, l'engagement du gouvernement, que les droits des minorités, y compris ceux de la minorité francophone, ne feront en aucun cas les frais de négociations constitutionnelles. Nous devons rassurer nos minorités que leurs droits ne sont nullement en jeu, que leurs droits sont inaliénables et ne dépendent pas du rapport qu'entretient l'Ontario avec le reste du Canada.

I was saying that we must assure our minorities that their rights do not hang in the balance, that their rights are inalienable and not dependent upon Ontario's relationship with the rest of the country.

I have an abiding faith in the collective wisdom and goodwill of Ontarians. If this government is to show true leadership, true leadership in the constitutional debate, it will tap and draw upon these resources. Sometimes, especially when we are angry or when we feel threatened, we can give the impression that we lack these resources. For example, in the heat of the Meech Lake discord, some of our municipalities declared themselves unilingually English. The net effect of these declarations was to send a hurtful message to francophones everywhere in Canada. If we are to find failing here, surely there was failing on the part of some of our municipal leaders to show true leadership, and true leadership, then as now, means our elected representatives must tap and draw upon our collective wisdom and goodwill, resources which, although not always evident on the surface, remain below waiting to be tapped. True leadership means bringing out our best, not reflecting our worst.

I indicated at the outset that the challenge before us is both formidable and daunting, but it need not be insurmountable. I believe that if this government exercises true leadership, the kind of leadership about which I have spoken today, Ontario will be able to successfully meet the challenge before it. We will meet it from a position of strength tempered with compassion. We will bring to it both firm resolve and understanding. We will bring to it optimism without illusion. We will bring to it our collective wisdom and goodwill. In short, we will bring to it our

best, and when we are at our best, there is no challenge to which our great province is not equal.

**Mr Turnbull:** I would like to add my comments to those of my fellow members in the House today and share my views on the future of the country.

First of all, let me state unequivocally that I believe in federalism. I believe we need a strong federal government to maintain national standards across the country in such areas as health care, social services and post-secondary education.

As we all know, Quebec has proceeded with a commission of inquiry to decide on its future within or without Canada. It is my belief that the relationship between francophones and anglophones should be more positive. I think we must tell Quebec, "We want you and we need you." We should make it clear that the failure of Meech Lake was not a rejection of Quebec by the rest of Canada.

I would like to suggest that an all-party delegation of Ontario MPPs visit the Quebec National Assembly and put our case directly: "We want you to stay. We want to work out a solution."

All thinking Ontarians are ashamed of the image of a few people who trampled the Quebec flag. That image, captured on TV, was shown over and over again in Quebec by those who favour separatism, and it played right into their hands.

It is no secret to anyone in Canada that Quebec's language and culture is and always has been special. Most of the people of Quebec are French-speaking, but they are not shaped by France. They are French Canadians, shaped by the geography, climate and history of the new world. Their traditions and culture have evolved in response to a unique set of circumstances not shared by the people of France. They belong in Canada because their roots are here, and their language and culture have made Canada unique.

Canada is a country strung out along the northern half of this immense continent, a country which defies logic but is held together by a belief that people are important and that people should help one another and that people care about each other.

It must be said that the balanced and reasonable dialogue on both sides is necessary, but this is more than a rational dialogue. It is an emotional debate. Our hearts as well as our minds are engaged in these discussions. Canada is much more than the sum of its parts. Although the country is divided by geography, it is united by strong emotional ties.

There are many issues to be discussed. We have to work at finding solutions and we must listen to each other. It will take time and it will not be easy. We need everyone's participation so as to have the broadest possible base of decision-making.

Canadians are known for their capacity to compromise, to find a reasonable solution. After all, Confederation was based on compromise, and there is nothing wrong with that. Life itself is a compromise. No one gets everything he wants when he wants it.

During a radio program on Sunday discussing this crisis, someone wondered what the Fathers of Confederation would say about the situation. One hundred and thirty



years ago, there was no cut-and-dried solution. It took two years of talking and consultation before a decision was reached. They were two busy years of public meetings, people talking to each other, prolonged debates in provincial legislatures. They thrashed things out, agreed, disagreed, made compromises, but they had the same goal, to uphold their common ideals and find strength in unity.

We need to update Confederation, which may mean the realignment of federal and provincial responsibilities. We must work to eliminate needless duplication of costs, and equalization payments should be reviewed, with special consideration of needs and fiscal responsibility.

It is important to keep Canada together, but not at any price. We should not bribe Quebec to stay. If in the long run Quebec does separate, we must let it know now, in no uncertain terms, that Canada insists on communications corridors and complete access to the eastern provinces. The question of ownership of the northern part of the province, added to Quebec by the federal government early this century, must of necessity be reviewed. Indeed, native rights and aspirations must be considered in any talk of separation and their legitimate concerns addressed, and Quebec must assume its proportionate share of the national debt. Although we cannot ignore the negative, I do not want to dwell on it today.

Canada is a nation of immigrants. Everyone except our native population came here from somewhere else. My wife and I arrived here 22 years ago. One of the most attractive features was the cultural and linguistic diversity. We love this country and we have made Canada our home. Our children are Canadians and none of us wants to see the breakup of the country.

1620

There was an article in the *Globe and Mail* this morning about William Stinson, chief executive officer of Canadian Pacific, who had been in London, England, meeting with British business people. He said everyone he spoke to was incredulous that a country like Canada, with so much going for it, is considering breaking up. "People in the rest of the world can't understand what we are doing," he told reporters."

In closing, I want to reiterate the need to tell the people of Quebec how much we value them and urge them to stay. We have a wonderful country, the envy of the world. We can, indeed we must, look at our similarities instead of our differences, build on our strengths while working on our weaknesses. With determination and dedication, we can do it.

**Ms S. Murdock:** It gives me great pleasure to add my comments today to the debate on the interim report of the select committee on Ontario in Confederation. I would first like to commend the efforts of those involved in the committee for reaching out to all the people of Ontario and all the people of this province, people from all walks of life, and for asking them to come forward and vocalize their thoughts and their feelings on a very wide range of issues.

It has been noted in this report that we are at the crossroads. The importance of taking the pulse of the people of

Ontario at this critical time to determine where we are and where we want to go cannot be stressed enough. Above all, we have to recognize those people who came forward and took the time to make submissions to this committee. They cared enough about this country. They are concerned enough about its future to take the time and make the effort to express those very thoughts. It is heartening that there were so many submissions communicated in so many different ways, from the Cree language to American sign language.

This process of reaching out to the people and considering their views, truly considering them, is a continuing effort on our part in order to find viable alternatives for Canada's constitutional crisis. The wide range of issues discussed in this report truly reflects our rich, diverse heritage. Canada has been called a nation of paradoxes, an experiment. Indeed, the general picture of Canada is that of a vast nation of people unified as one country while at the same time maintaining separate cultural identities. The challenges we have faced because of our unique approach to Confederation are well documented in all our history books.

I think we all agree that it has not been easy. It was not easy and it is not easy to keep this country of ours together. As Canadians we share similar values and a common heritage which binds us together that is worth keeping and that is worth fighting for, because this is not just a question about Ontario's status in Confederation, nor Newfoundland's, nor Prince Edward Island's, nor British Columbia's. This is Canada's future.

I see my riding of Sudbury as a microcosm of this nation as a whole. We have our French-speaking people, our Italians, our Finnish, our Irish all coexisting in the same community. Differences and difficulties of course arise. We are also in the north, where we experience a similar sense of isolation as the other regions in this country because we see ourselves on the periphery, distant from all the decision-makers who affect our daily lives. But Sudbury's and the north's and what seems to be the presenter's message is that we want input and a sense of fairness in decisions that affect us.

As mentioned in the report, there is a wide range of issues discussed quite poignantly. As I read through the document, a simple message came through quite clearly. The people of Ontario are trying to tell us in all of their different languages, in all of the varieties of subjects, that they simply want fairness. Aboriginal people, French-speaking people, people with disabilities, women, working people of this province, indeed throughout this country, simply want fair treatment, and when that is not forthcoming, then they want to be assured that they are a part of the process in which change can be made in the way they are treated.

Clearly, a large part of this problem facing us is that the people of this province feel isolated from the political process. To survive the challenges facing us now we must ensure that the people of this province, no matter who they are, no matter how they choose to express themselves, no matter where they live, no matter what their concerns,



must feel assured that their government will listen and that their government will respond.

The interim report on the select committee is just the start of our government's decision to listen and to effect change. I would just like to take a few moments now to touch on a couple of issues that are of particular importance to me.

This country was built on the spirit of compromise, and in that spirit as a nation we have made significant achievements of which we can be proud. We must not put those achievements in jeopardy. Our health care, education and social welfare services characterize us as a progressive nation that takes care of its people and especially looks after its most vulnerable citizens. These are common values that we share, the ties that bind.

We must continue to ensure that these programs are not endangered in any way. In fact, we must always strive to improve these systems and to renew our commitment to countrywide objectives and national standards. So while we must try to accommodate Quebec and the needs of that province, this must not be done at the expense of the national symbols which truly identify us as Canadians and of which we are so proud.

The separation of Quebec would mean the end of Canada as we know it. At the same time, accommodating Quebec in any new arrangement is also an end to Canada as we know it. So one thing is certain: Canada is definitely at a crossroads and change is imminent.

Let us not forget that one of the reasons we are here today discussing this report is the failure of the Meech Lake accord. The rejection of the accord, in my view, should not be seen as a rejection of Quebec but rather as a rejection of the process that effectively shuts out the views of ordinary Canadians. We cannot make the same mistake twice. I hope we have learned that meaningful, democratic, constitutional change can only materialize when everyone in this province is on an equal footing, with voices of equal strength. Before we start to talk about constitutional change, we have to make sure that everyone has a chance to take part in the conversation.

Constitutions arising from anything else are obviously not reflective of the people they are supposed to represent. They are empty illusions. Our ability to rise to the challenges facing us is a true test of our strength as a nation. As I close, I just want to use words I wish were mine, but they are of a greater man, Tommy Douglas, when he said: "Do not measure the strength of a nation by the depth of its gold reserves or the height of its skyscrapers. Rather, the true measure of a nation's greatness lies in what it offers its people within it and what it does to better the condition of all the peoples of the world."

**Mr Sola:** I would like to first of all congratulate the members of the committee and thank them for the long hours they have put in. However, I have a different outlook on the result of the work of the committee. Having read it, I found it to be a series of motherhood statements on what we would like Canada to be. I found the mandate too general, too wide. In my opinion, it should have been more specific, something in the order of: Do we have the will to work for a united Canada with all its constituent parts? Are

you willing to make the sacrifices necessary to achieve unity? Because without the will it is a waste of time considering constitutional change.

1630

I would like to just take as an example the Soviet Union. They have a new Constitution. The central powers have one opinion of which way the country should go but the constituent parts have a completely different opinion, for example, Lithuania, Latvia, Estonia, the Ukraine. They do not see any salvation in a new Constitution, because the Soviet Union was put together by force. Therefore, there is no love lost between its constituent parts.

On the other hand, Canada was put together by compromise, and therefore I think the constituent parts have a lot more in common than any comparison with the Soviet Union. I brought the Soviet Union up because lately I have noticed in the newspapers comparisons to other multi-ethnic countries such as Yugoslavia and the Soviet Union, and I think there is no comparison whatsoever, because the other two I mentioned were put together by force of arms, by the will of large powers to simplify their problems by grouping together various nationalities so they would only have to deal with one central government.

We were put together after the end of the American Civil War out of a fear of becoming Americanized. If Canada was put together to prevent its Americanization, I would say that in large part we were successful. However, if Canada was constituted to retain it as a British entity or to remove the French influence, it was an abysmal failure, because I think today, in most instances, if we compare, we are much closer to the United States than to our two founding nations.

I would like to go to another point: leadership. I have not yet found in Canada the type of leadership we need to preserve this country. Where is the Canadian version of John Fitzgerald Kennedy, who stated, "Ask not what your country can do for you. Ask what you can do for your country." We have heard some of our members here saying there has to be a spirit of compromise, that this is the Canadian tradition, but we have not had the leadership that has challenged the Canadian people to show the will to compromise.

The one leader who showed it was Premier David Peterson with his offer of the Senate seats. For that he was severely chastised by the people of Ontario, but I do not think he regrets it, because he showed he was willing to offer something—whether tokenism or anything—was willing to give up something for the common cause. I would challenge the premiers of the other provinces, our federal leaders, our present government to come up with something to show we are willing to give up something to maintain Canada.

The other thing upon reading the report is that I found it to be something like a shopping list. What is Canada? A shopping list of demands by special interest groups who will buy at the store called Canada, Canada with Quebec, Quebec or Canada without Quebec, depending upon who offers them the best prices. That is not my version of Canada.

The other thing I found is that Canada is merely an accountant's balance sheet. Add up the pros, add up the



cons. If the pros outweigh the cons, stay in Canada. If the cons outweigh the pros, separate. That again is not my vision of Canada.

I find there is something missing in this report, and that is a feeling for Canada. Is there no emotion? Is there no attachment to this country? To me, Canada was the first place I felt I belonged. I spent the first seven years of my life in various refugee camps in Austria and Germany—the country of my birth, Croatia, having disappeared in the aftermath of the Second World War—having no identity, no culture, no nothing, as you would say colloquially, until I arrived in Canada. My parents, having pride in their heritage, pride in their culture, pride in their language, kept that alive in me as a private person, but I did not really feel part of anything in general until I came to Canada.

In 1951 when we arrived here, Canada was not the same tolerant place it is today, but we built upon what was available in Canada; that is, opportunity and hope for the future. My family, my community, maintained its distinct culture while becoming at the same time a part of Canada, feeling a part of Canada and developing a strong feeling for Canada.

All I hear in the newspapers, in the various reports we hear, are negatives about Canada. You hear the words “racism,” “intolerance,” “prejudice,” “bigotry,” “discrimination” and “rejection.” This is not the Canada I know. If this is the true picture of Canada, I would like to pose this question: Why are there lineups of refugees, of immigrants, at every one of our embassies throughout the world? Why do we have a refugee board with hundreds of thousands of names on it? Are people coming here for this type of treatment? The people who are lining up to get into Canada are people of various ethnic backgrounds, various races, various creeds, various colours, and they all feel there is something special in Canada, something special in becoming Canadian. I think we have to accentuate the positive, try to eliminate the negative.

I think we have to take an overall point of view, step outside of Canada and then evaluate it for what it is. I have been an observer at the elections in Lithuania, at the elections in Croatia, at the elections in Bosnia and Herzegovina, and the biggest compliment I could pay the people in those countries was to hope for them, after electing democratic governments, to become miniature versions of Canada. That is the biggest compliment I could give them. Therefore, when we are painting a negative picture about Canada, I think we are way off the mark.

I would like to go back in history a bit. If the negatives about Canada are for real, why did American blacks use the underground railroad to escape slavery, to come to Canada at a time when we were not as tolerant as we are today? Why did the Chinese come to Canada despite the head tax? Why did the Ukrainians settle the west despite the hardships involved? Why did the refugees after the First World War and the Second World War come to Canada? To escape the racism, the prejudice, the inequalities, the lack of opportunities in their home countries and to come to a country of opportunity, a country of hope. Therefore, I reject the negative picture that has been painted of Canada in all of our recent reports.

## 1640

I would like to point out one other thing. I think our multicultural groups are not informed enough about the history of Canada and therefore have a difficult time accepting the fact that the French in Canada have a special historic significance. Before Confederation in 1867, on three occasions, had the French decided that the English Canada they belonged to at that time was not to their liking, I believe today the 49th parallel would not be a border.

During the American Revolutionary War in 1776 the French decided not to get involved, and therefore the United Empire Loyalists had a place to flee when they found the situation intolerable in the 13 colonies. During the War of 1812, the French again did not take the side of the Americans and we prevailed. During the American Civil War, when American expansionism was quite prevalent, the French again did not join the Americans and we were able to prevail. Therefore, we have a historic debt towards the French in Canada, towards French Canada.

I think the multicultural groups that rely upon the length of their history, the richness of their culture and the length of their culture, have to accept the fact that there is such a thing as Canadian history, however short it may be, and Canadian culture, however short a time it took to develop. If they expect theirs to be recognized in Canada, they have to recognize and respect that Canada has the same qualities.

Tolerance is a two-way street and we must make sure we do not encourage intolerance by our own intolerance. When we are too quick to cry racism, when we are too quick to cry bigotry, when we are too quick to cry discrimination when somebody disagrees with our point of view, I think it is nothing more than a version of intolerance on the part of the people who do that.

We have to avoid becoming a carbon copy of the Soviet Union, because today we have a tendency in Canada to eliminate debate by painting somebody who opposes our point of view as a dinosaur and Neanderthal and various other terminology. When you look at the Soviet Union, the way they kept criticism in check was simple—or any other communist country, for that matter. They found something to be anti-socialist, anti-people, counterrevolutionary, just to eliminate the fact that there may be some substance to the arguments. Even a bigot may have some proper substance to his question when he poses the question of cost, when he poses the question of the speed of implementation, because as we all know, we all resist something happening too quickly when we are not prepared for it.

So we have to pave the way for change. Canada has not been a perfect society, but with all its imperfections, when we look at the history of Canada, we have been able to change gradually yet change significantly to the point where today Canada is the envy of the world, much to our own chagrin, because people who live outside of Canada cannot understand how we can place such a negative view on our own country.

The price of separation, in my opinion, will mean the disappearance of both Canada and Quebec, because we are both threatened by American pop culture. For those who



pooh-pooh the idea that Quebec can feel endangered within an English Canada, may I point out that France, in Europe, feels threatened by the Anglo pop culture, and France has a much longer, much stronger, much richer tradition than Quebec. Germany feels the same threat on its sovereignty, on its culture, on its traditions. So it is natural for Quebecers to feel threatened, but at the same time they must not take out the threat of American pop culture on the rest of Canada, because I can assure them that America after separation will not be as tolerant of Quebec as Canada has been.

In closing, I would like to just say that I hope that every Canadian, every province, every territory, every group is willing to sacrifice something for the good of Canada and for their own good, because I think we are in much better shape as Canadians than as Americans. As I said before, the Canadian-American border is the longest undefended border in the world. I would like to keep it that way. I would not want to erase that border.

My final word is to paraphrase George Bush and say that one definition of Canada is that it is a kinder and a gentler version of America.

**Mr Tilson:** The remarks that I wish to make this afternoon are very brief and perhaps of a procedural nature. There is no question that the member for Dovercourt, as Chairman of the select committee on Ontario in Confederation, and the members of his committee have worked very hard. They have spent many exhausting hours. You certainly have to admire the members of the committee, and I congratulate them for that. However, the report, in my view, says nothing about the constitutional choices, the direction that this province is going in.

People in my riding at least, people whom I have spoken to in my riding, want to know where this government stands. They want to know where this government stands on the Senate, where it stands on aboriginal rights, where it stands on Quebec, where it stands on a whole slew of issues. None of these options has been set forth. In fact, the committee that has been going around the province has a budget of \$2 million. I think it has spent in excess of \$250,000, and all for naught. I asked constituents in my riding what they think, and they do not know, because they do not know where the government is going. They do not know how to respond. I will say that, in my view to date, the debate has been unilateral. There has been no debate other than, of course, the debate in the last few days in this House.

My constituents, as I say, have no idea where the government is going. There is no question that the interim report has been a major disappointment. There have been no statements. I gather the Premier is going to be making a few remarks tomorrow, and I hope he does show some leadership so that we on this side of the House and the people of this province will know where the government is going, what the alternatives are that they are suggesting, so that we can properly give direction.

This province has a great opportunity to show the leadership that it should in this country. I think that people in this country are looking for the province of Ontario to show that leadership, and I hope this government will do

that. Certainly, as far as its population is concerned, its great wealth, it has a great opportunity to show that leadership.

1650

To date, there have been no opinions, as I say, with respect to Senate reform. The Senate powers of this country have not changed since 1867, except in respect to an amendment to the Constitution. Originally the Senate was expected to put an end to what the Fathers of Confederation called the excesses of the American democracy. It was meant to be a chamber of sober second thought based on the British model. Clearly, it has not turned out to be that. It has blocked much of our legislation, including money bills. This has constituted a precedent that senators are not accountable to Canadians, unlike the elected members of the government. That is the principle of responsible government in effect since 1848.

The question is: What does the province of Ontario think? What does the government of the province of Ontario think? What do we think as far as what the Senate of this country should be, or indeed should there be a Senate? Should the Senate be a replica of the House of Commons? If a senator is elected by all of the people of the province, does he have more legitimacy than a Premier who is only elected by the people of his riding? All of these are questions on which I hope the government will put forward alternatives for us to consider.

There is the issue of the economic issues. If Quebec separates—which I hope it does not, and I hope that the majority of the people of this Legislature and the majority of this country do not wish that Quebec will separate—what will it cost us? What will it cost the people of the province of Ontario? What will it cost the people of the province of Quebec? I think those are all relevant issues that must be determined before we sit down and talk with the people of Quebec.

Again, I hope the government will be putting forward what its procedure will be. Is there going to be a referendum? How are we going to make our decision? What are the terms of that referendum? When is it going to be held? Is there going to be a free vote by members of this government? What is the concept of how we are going to come to the decision as to how we are going to deal with resolving this very serious issue in this country? Basically, how is Ontario going to market its decision?

I will say that certainly I am a Canadian first and then an Ontarian. I hear too many people in this country saying, "I am a Quebecer first and then a Canadian, if indeed that," and that troubles me, or, "I am a westerner first." I think that we all have an obligation. I believe that this is my country. I have the right to go from sea to sea. It is a beautiful country; it is a wonderful country. As one of the earlier speakers has said, it is the envy of the world, and we should fight to respect that and to continue that process.

I need to know where the province of Ontario is going so that amendments could be made to perhaps offer suggestions of change so that we can reach a general consensus. Is the province of Ontario going to be more centralized? Is it going to be more decentralized? All of these are issues which we have not heard a word on. I believe that the province of Ontario should be clarifying



the overlap of jurisdiction that has developed since 1867, including that of fisheries and the environment, because clearly there are overlapping areas.

I believe that the federal government should have the overriding powers. I believe in a strong central government. In 1867 our forefathers all agreed that we would have a strong central government for the reason, if anything, of preventing the breaking up of the country to the United States. Things have not changed. I believe that we all want the country to stand together. As the song goes, "United we stand; divided we fall." I think that throughout this debate we should remember that.

There have been groups that have developed over the years, and more recently there is a western group, there is the Bloc québécois, there is the Parti québécois, all of whom have advocated the breakup of this country. Ontario must show the leadership to prevent that from happening. The people in my riding want so much to participate in this debate, and I hope that all of us will go among our constituents and listen to what they have to say. It will not cost \$2 million to do that; it will not cost that at all. I think that once we hear where this government is going, we will be able to properly listen to our constituents. We are concerned with maintaining our standard of living in this country, in this province and throughout the entire country. I believe that if we are allowed to break up, that standard of living will deteriorate very quickly.

As I indicated earlier, I think that the government of the province of Ontario must set forth its position as to what the Canadian identity means. What position does it take on bilingualism and biculturalism? Where does it stand on aboriginal rights? What does self-determination mean? Does it mean that they want separate countries, that there are going to be separate borders, their own armed forces? All of these issues really have not been debated in this House or presented to this House as to the position of the province of Ontario.

Those are my remarks. I know the Premier is speaking tomorrow and I hope we will start to hear a little bit as to where he and his government will be going on this very important issue.

**Hon Mr Pouliot:** In my humble capacity as the minister responsible for francophone affairs, I want to address some serious matters. I would like to remind, with respect of course, my friend across the way that humour does not become him and this is not the time. This is very, very ill timed, because I recall very vividly that when I was with the opposition I never did contravene 20(b) of the standing orders.

Nous sommes très heureux des observations contenues dans le rapport, qui se dit en ce moment provisoire, du comité spécial qui a été établi concernant le rôle de notre province, et notre rôle en tant qu'Ontariens, bien sûr, dans la Confédération.

Vous connaissez, Monsieur le Président, parce que vous y étiez, le Règlement 17 et la Loi 8 de 1986. Eh bien, vous savez que l'Ontario a fait du chemin. On a avancé. Je me souviens aussi que j'étais en Chambre pour ce vote, pour ce moment historique. Je me souviens très bien qu'on avait fait l'unanimité en 1986 — nous n'étions que 125 en

1986 ; nous sommes maintenant 130 députés — l'unanimité à l'intérieur du comité concernant les rapports de la commission.

Comme vous, Monsieur le Président, j'ai confiance que le comité spécial qui a été dirigé par le député de Dovercourt, appuyé au titre de la vice-présidence par celui de Cochrane-Sud, saura guider les députés de l'Assemblée législative dans les jours, dans les mois et dans les années à venir concernant ce dossier important.

Mais je suis tout aussi fier de la participation des Franco-Ontariens, de ces femmes, ces hommes qui par douzaines, par centaines ont su apporter leur appui, leurs revendications légitimes devant la commission Silipo. Mais il faut bien faire attention ; les consultations ne sont pas finies. Nous n'en sommes pas à la fin de l'échéancier. Elles continuent et dans les mois qui suivront, j'invite tous les Ontariens, tous les citoyens et toutes les citoyennes à continuer, à oeuvrer, à se faire entendre, à se présenter, à se tenir debout et à aider les membres de la commission Silipo dans leurs délibérations.

Je suis aussi heureux que ce rapport souligne l'importance de l'égalité de toute la population canadienne : «une voix égale dans les décisions qui les touchent, un accès égal aux services, une chance égale de participer à la vie de la société et une protection égale à la loi.» Ceci est vrai pour toute la population canadienne d'un océan à l'autre et bien sûr à l'autre aussi.

Peu importe ce qui se passera au Québec, l'Ontario va continuer en tant que fournisseur de services, sous la tutelle au chapitre de la Loi 8. Elle continuera d'aider les Franco-Ontariens, ces Franco-Ontariens qui sont 543 000, qui résident un peu partout en Ontario, la plupart étant nés en Ontario. On y ajoute un nombre toujours grandissant d'amis, nos amis les Somaliens, nos amis les Éthiopiens se joignant aux nombreux Vietnamiens, Cambodgiens, Laotiens, aux pays d'Europe, aux pays d'Afrique, aux pays d'Afrique du Nord, qui viennent s'ajouter à nous en nous payant le compliment de leur visite, de leur séjour, de leur séjour en permanence.

C'est donc dire que la famille franco-ontarienne s'agrandit, elle va de l'avant. Naturellement, elle demande des services. Nous sommes 543 000. En ce jour d'attente on veut être comme les autres, on veut se faire entendre, nous aussi on veut notre place, la place qui nous revient, la place sous le soleil. Nous sommes en Ontario depuis 350 ans, trois siècles et demi et nous espérons y être pour bien plus longtemps.

1700

And now if I may share with members of the community that is the community of Franco-Ontarians, I mentioned a few minutes ago that we at present are 543,000, a number that is increasing. It is roughly 6% of the population. You will find them in small communities, by and large. You will find them less fortunate, in large part. The number of people, the percentage of illiterate people, people who cannot defend themselves in society and cannot cope because they simply cannot read and write, is double the rate of Ontario as a whole for non-francophones.

In northwestern Ontario, for instance, if you are a Franco-Ontarian—46% of them have to rely on the soup



of the day and the daily special at the local restaurant. Most of us are fortunate. That is the key. That is where it begins. This is us. Union-paying jobs—members know very well that most Franco-Ontarians work for small companies. Small companies, by and large, tend to be non-unionized, and if they are non-unionized, statistics will attest that you will work for less money. And guess what? Yes, you have guessed it. When you have less money, you also have less fringe benefits and you are among the less fortunate, therefore, in society. The average Franco-Ontarian woman makes less than \$10,000 a year.

Remember, one of the richest jurisdictions in the world, on the planet—a legacy. People that have made a contribution for 350 years. The majority of Franco-Ontarians were not born elsewhere. They were born in Ontario. They were born in northern Ontario, in small towns and villages, in Orléans, in Hawkesbury, in Vanier, in southeastern Ontario. Of course.

Quels sont les défis ? I am advised that we must all participate, many of us, in the debate and, therefore, so much has been said and yet so much has to be said. And I can spend some time talking about the less fortunate, about the people who have been marginalized. I am not going to do it; it is not my role here. My role is to give a few examples, illustrate some of the challenges; to inform us, as repetitious as it might be, of the opportunity one more time that is given to us. What are we going to do in the months, in the years ahead in this great country of ours?

I had the opportunity this morning to spend an hour—very precious—I had a good time with the Deputy Premier of the sister province of Quebec, M<sup>me</sup> Lise Bacon. The reason for the meeting was that we share a good deal of information regarding mining. I scared you, did I not, dear colleagues? We shared a good deal of information regarding mining.

The opportunity was not given, nor was it the time to discuss about Confederation, about where we are going, because nobody really seems to know. But we spent some time, because like I am, she is a strong federalist. She too believes that there is only one thing on the menu, that you can send it back to the kitchen umpteen times, dozens of times, the cook does his thing and it comes back. There is no place else to go.

We have to once and for all get together and move on, because economically we—you know, we want to leave some emotions. We do not want to come here and begin to stoop and say, one more time: “I have been Quebecked out: I have been Meeched out.” That is not our role. Our role is to put money into people’s pockets, because that is what my constituents tell me. They want a good job with a good boss. They want to put this most important subject matter behind them. But they are appreciative that before the wheels at the factory get going full blast, get working overtime, generate real well so we can afford all the social services, all the programs that the population so rightly deserves, we must give ourselves an opportunity to put this catalyst, this vital and crucial dossier, behind us.

As we roll up our sleeves and engage in yet one more debate, we have two choices. Let’s do it in real terms. Let’s

do it twice. Let’s do it for the first and the last time in a meaningful way so that we can move on.

I speak with extreme confidence. As I reach inside for reason associated with the—or deterrent, I should say, the whys and why nots, the pros and cons—I keep coming back to the fundamentals of this country. You do not have to be a mathematical genius emanating from Harvard. You do not have to have travelled all five continents and met with people who speak myriad languages. You have to look at the mirror and say: “I am so-and-so. I am a Canadian.” The other person does it, and then you mix into one another’s mirrors and you say, “My friend, more important, how are you?” A situation of compromise, a real chance to grow. Opportunity is passing. Ontario will seize the opportunity collectively; indeed, a better place to live.

1710

**Le président suppléant (M. Villeneuve) :** Je désire remercier l’honorable ministre des Affaires francophones ainsi que le député de Lac Nipigon.

**Mr Mahoney:** It is indeed a pleasure to follow the—I think he said the humble member for Lake Nipigon, and I say that in friendship. He gave a very eloquent speech in both official languages and, I think, made some very valid points in talking about the francophone community in this province and I congratulate him.

I too would like to congratulate the Chairman and all members of the committee for taking such a difficult issue and maintaining non-partisanship, from everything I saw in the work of the committee. I think a lot of the credit for that probably goes to the Chair, but it should be shared, I am sure he would agree, with all members, because there is always a tendency, with the attitude that sometimes permeates this place and this job, to be a little more partisan at times than perhaps we should. I say that not as an apologist for that, because that clearly is our role and a role that I enjoy performing from time to time, but there are times when it is important that we rise above that and we recognize the significance of the issue. I think the committee performed that in that way. I thank them for doing that on behalf of the people I represent.

I had a limited opportunity one day to substitute on the committee in Orillia and in Collingwood and fight through one of the more difficult snowstorms that I experienced this summer.

**Mr Grandmaitre:** This summer?

**Mr Mahoney:** Last summer, last winter. Well, we may get snow this summer, the way things are going. We are not quite sure when summer is going to come.

I went to Orillia and I want to share with the members of this House one of the people who came before the committee and who I thought summed it up, I thought was remarkable. It was a real interesting coincidence that I was there, because she put forward many of the views that I have put forward and shared with people in my community.

It was a lady in Orillia by the name of Ms Agius. She represented a group of single moms. Unfortunately, her entourage did not arrive and she got moved up early on the schedule, but I have got the quote from Hansard and I would like to share it with other members who perhaps did



not get an opportunity to read it. I thought she really summed up my feelings of Canada. She said:

"We love this country of ours. We liken it to our own families. Within the family of Canada we have got to realize that the provincial children are quickly growing up. Like children, they each have their own distinct personalities. Just think of this: Ontario the stockbroker; Quebec the lawyer; British Columbia the young businesswoman; Alberta the mining engineer; Saskatchewan and Manitoba the farmers; and the Maritimes the fishermen.

"Quebec, as the lawyer, has always talked the most and therefore has been given the most consideration. We are proud of BC, of Alberta, with its handsome wild streak, the others are steady and true, but Ontario can always be depended on to come up with the ready cash.

"As Canadian parents, we have got the right to be proud. As we watch our family maturing, we must realize each of us has earned more responsibilities. As wise parents, we should grant those freedoms, knowing that the family will stand strong." And this was a very important quote. She said, "As every mother knows, if we were to lose one we would be devastated."

I thought that Ms Agius's comments really just cut to the quick from where I stand. I must tell the members I got involved with a group of Canadians last June. We worked on an idea of writing and having performed—I can assure the members I was not part of the performance—a song. We tend to look to songs when we talk about—whether it is child poverty or hunger or wars or whatever, we find a song. We put our concerns and our thoughts to music. We ended up writing this song, written by a high school teacher from Ottawa named John Stott. The song had been written a number of years ago but had never been properly put in context of anything. I want to share with the members some of the lyrics of that song. This was done last June and how it fits in with the comments in Orillia I think makes a lot of sense.

Just very briefly, the lyrics go, "I think I've found just what it is that places me in your indebtedness." It is a love ballad to the people of Canada, and indeed we should be indebted to this country, all of us. It goes on to say: "It's something about your point of view./ You keep your sights on things outside of you." And the chorus is the most striking. It is a beautiful song actually. It was played throughout Newfoundland on all the major radio stations and television stations, because there is a video that goes with it and it was on for the entire summer. It goes on to say that, "People like you can make people like me into different people somehow/ And people like you can change people like me/ And I'm feeling better all around." Then it says, and it was translated of course: "Les gens comme vous feront aux gens comme nous un monde de différence/ Les gens comme vous changeront les gens comme nous et on se sent tellement mieux."

[Applause]

**Mr Mahoney:** Merci beaucoup.

What it really says is that people like you in Newfoundland can change people like me in British Columbia and people like you in Quebec City can change people like

me in Toronto, or Mississauga, or Sault Ste Marie, or wherever. I think it really sent a message out that has been very close to my heart. When I look at the comments from the lady in Orillia and I think of my own family and what we may be leaving them, it causes me a great amount of concern.

It is a shame the member for Oxford is not here because I think he was at the University of Western Ontario last year. I have a son at Western who is probably sitting with all his buds having a Bud right now watching his dad on TV. I am sure they have nothing better to do than to sit around. I think they call it Tiny Talent Time. Well, they get a few kicks, and every once in a while I go down and have a pop with them and talk to them. I am very concerned about what I am leaving Aaron and Matthew and Christopher and all of their friends. I think we have not only a responsibility but an opportunity to really leave them something that matters.

I get concerned when we fail to recognize that we have such a thing as French Canada in this country and we have English Canada in this country and I say vive la différence. I say let's celebrate the fact that we have that distinctiveness. If anyone can tell me that when they cross the border at Ottawa they have not gone into a different culture, I think he must be asleep in the back seat of the car or he is not paying attention. It is a wonderful culture and so is our culture wonderful. Why can we not, as Ms Agius said in Orillia, recognize that our provincial children in this country are growing up and maturing and allow them to have certain authority and certain powers and certain statements and not get hung up on words that seem to be destroying the fabric of our nation.

I am very frightened. I am generally an optimist—you would have to be to stay in opposition—but I am very concerned that the country is in very dire straits and I wish more people could listen to a song like *People Like You* or hear Ms Agius from Orillia and understand how important it is to really settle things down and stop the rhetoric.

I think there have been some soldiers who have passed on as a result of this, what can be termed a war in many ways. Some of them are very good friends of mine. I think David Peterson lost his position as a result of the great, courageous stand that he took, a non-partisan stand, supported by the current Premier and the leader of the third party. I think that it cost him tremendously and it cost our party, but that is life. We will survive, and it was a noble cause to fight for, Noble.

Interjection.

**Mr Mahoney:** You caught that. Good to see you are paying attention.

1720

There are many others who went down to some sort of defeat or who fought a battle with a particular interest, but there is somebody I want to—I kind of lost track of where I started time-wise so I will try to wrap it up, but I want to pay a particular mention and tribute to a member of this House in the last sitting of the Legislature who, in my view, went down not to defeat but went down of his own volition as a result of the tremendous problems of the



French-language issue and the English issue in his riding, and that is the former member for Sault Ste Marie, Karl Morin-Strom.

I have sat in this House while he stood here and I watched him give a speech in probably the worst French I have heard in a long time, and I told him that. It sounded like John Wayne. But the courage that it took for him, who is not a francophone, to stand there recognizing that he had difficulty walking down the street in my home town, I might add, Sault Ste Marie, without having to cross the road to the other side to avoid people who were creating such a tough time for him—not all the citizens of Sault Ste Marie, because I can tell members, with the many family and friends I have in that community, that they did not all share that, but the vocal minority did, and they caused him such grief.

He sacrificed himself politically for his party, but more important, he gave a speech that sacrificed his career in our country's second official language, which is not his native tongue, in this Legislature and I was really quite proud of it. In fact, I phoned him, and I say this in all fairness, I did not consider Karl a close personal friend. We did not have many opportunities to become friends as such, so I considered him a close colleague and someone who I think showed more guts than frankly most of us in this Legislature would do under similar circumstances.

I am not under any illusions, and would say to the Chair and all members of the committee that I hope they are not either. This report, as important and significant as it is, is not going to resolve the conflict in our country. It is perhaps one block in the building foundation of a new Confederation of a new country, and we have to send a message to all Canadians and to our federal counterparts in all parties that really says that we have to build something together that may be different from what we know now, that may indeed vest more powers in the provinces, that may indeed recognize certain distinct situations or distinct societies within our country, distinctiveness of many of the peoples of this country. But we think of the freedom. I listened to my colleague the member for Mississauga East speak earlier, and I have been to Yugoslavia, and you see the conflict and you see them solving their problems with guns. Indeed they are not solving them. When I see that kind of thing happening, and the fabulous opportunity that we have as elected representatives in this province and this country to try to solve it by talking to one another, I pray to God every day, for the sake of all of us and our kids, that we will be able to solve it.

**Mr Cousens:** We are into a very important debate for Canada and the province of Ontario is participating in a very worth while way, but I have to say there are three points that I would like to make today.

The first has to do with the context of what we are really trying to establish here. If there is anything that is the goal of the members of this House, and I sense it strongly, it is that we want to make sure that Ontario plays a very important role in maintaining a strong Canada, and through our own efforts and through the efforts of all the people of our province and across this country, may there be a discussion that takes place from coast to coast with all

and sundry, all who care, all who have something to say to participate in this important debate. I think it is something that is very important that we do immediately. Let's not procrastinate and delay. Let's get this behind us and get on with the business of running this country and making it a strong economy and a place for people to live and to enjoy life.

The fact is, if the first draft of a new Constitution is not right and has flaws in it, then live with it for a while and rewrite it. They are doing that in eastern Europe. We may well have to go through some iterations right now that require a whole new approach to constitutions. Instead of being locked into things, let there be that dialogue, that we are able to carry it through and yet carry on with life and carry on with commerce and living.

My second point has to do with the fact that we need leaders today. In 1885 Sir John A. Macdonald weathered a storm far greater than what we are going through now. He sent troops out to quell the Riel rebellion. The country was almost bankrupt with the building of the CPR. Quebec was seriously influenced by the hanging of Riel. We had a heavy trade challenge at the US. Yet Sir John A. Macdonald was able to persevere. He did not let adversity wear him down, and we are in the same kind of situation today where we need someone, not only from within the province but from across the country, a number of leaders, to stand up, leaders who will help people believe that they can be effective in what they are doing, leaders whose goals can be accomplished, leaders who believe in a strong and better future for our country, leaders who can move forward and believe in themselves and believe in us.

We also need to develop a statement of principles, a series of criteria and guidelines that will somehow be the whole setting for the dialogue and discussions that will take place over the next couple of years.

First of all, let's not forget that Canadians have been tolerant in the past. We have that as one of our traits. We are a tolerant people, we like to work with other people, we are trusting and we respect other people's views, so let us then in this constitutional debate that will take place have tolerance as one of those founding principles that we will live by so that there will not be the constant judging of another person's point of view and criticizing it. Let us sit at the table and let us then work through the issues. Let tolerance be a continuing and guiding light to all Canadians.

Another principle I would like to see that stands tall and loud and clear for all the discussion that goes on is that we are a monarchy. The Queen is our queen, and I think it is very sad in some cases when there is no oath to the Queen. The Queen is the symbol of justice and order. The Queen is one who ties us together as a country, and I think in the discussions, as they evolve and develop, may there be a strong statement of support to our monarch, Her Majesty Queen Elizabeth, and her successors.

A third point of principle is that of language. The language issue is ever important to this country, and I do not believe that we can legislate language on people. We are declared a bilingual country. I accept that. Quebec and New Brunswick are French. Ontario is English. I believe that in Ontario we can continue to respect the rights of



multicultural groups and respect the rights of other language groups, and where French are in numbers that warrant may we continue to provide services for them, but I do not see as an issue in this constitutional debate an effort should be made to make Ontario bilingual. I do not support that. I do not feel it is historic and I do believe that we are in a position now where language does not have to be part of this great debate. Canada is declared bilingual. Let us leave it at that, and may Ontario continue to have the right to speak English and to provide services where numbers warrant for other peoples.

A fourth and guiding principle of the discussions that could take place has to do with Canada being separate from the United States. The free trade agreement has created problems and issues that are affecting many of our people in this province today with this recession that we are enduring, but none the less I respect the fact that we may have economic ties. We may have political ties that take place in many ways, because it is good to share and work together, but may we, when we are developing our new Constitution and a new Canada, understand that Canada is going to be separate and distinct from the United States of America.

My fifth point and principle that should be part of the context of the discussions and debate that will take place is that the Charter of Rights and Freedoms that we have established in this country be something that is available for all the people of this country. Somehow or other we have to deal with that "notwithstanding" clause. We have somehow got to make sure that all the people in this country enjoy the same rights and freedoms.

1730

My sixth principle that I would like to see part of the discussion is that which is the involvement of people in an ongoing way in politics. People are feeling more and more alienated from our political system as we have it today, and that becomes another reason why I would like to see a new approach to politics.

I do not think it is working necessarily in this House, where you have the opposition constantly trying to criticize the government and you see the exact reversals that go on when parties are in government and out of government, and "That was then and this is now." What I would really see as important is a new approach to referendum politics where people on an ongoing basis can then cause the government to rethink its positions if between elections the government has lost sight of its promises or lost sight of what the people really want it to be doing.

My seventh point of principle that I would like to see included is that the federation of provinces be strongly united together with a strong central government. We need a strong central government, but at least let this federation from sea to sea be closely brought together through some kind of central government. Now, whatever that is—I might go for a strong central government and someone for a lesser one, but at least may we be sharing a common government through a central agency.

My eighth point is property rights. Persons cannot be alienated from what they own, and somehow or other our present Constitution fails to include that.

There are a number of other issues that could be part of the debate and the discussions that go into making a new Canada and maybe other people can come forward and suggest what those principles and guidelines and criteria can be as the discussions take place, but may they take place. May we be involved in that discussion. May Ontario continue to play an important role in making this a strong country. We are Canadians first, Ontarians second, and may we find the leaders who will stand up with optimism and belief, not only in themselves but in our country, and carry that message out to all the people. Finally, may those discussions be brought together so that we do it with tolerance and understanding of one another and understanding a certain fundamental set of principles.

**M. Drainville :** Je suis heureux d'avoir l'occasion de m'adresser à l'Assemblée et de prendre part au débat sur l'avenir de l'Ontario au sein de la Confédération.

Lorsque nous avons été élus, nous avons tous apporté ici avec nous nos propres croyances, perspectives et bagage personnel. Et maintenant, plus que jamais, nous partageons du plus profond du coeur l'orientation que nous espérons prendra l'Ontario au moment où s'amorce une fois de plus la restructuration de la Confédération à laquelle nous avons appartenue au cours des 124 dernières années.

En tant que personne dont la famille a été établie en Nouvelle-France en 1650, en tant que personne née à Joliette au Québec avant le début de la révolution tranquille et en tant que personne qui a été le témoin des changements sociopolitiques significatifs qui ont modifié la société québécoise, je crois que j'ai un point de vue particulier à exprimer des besoins, au moment où nous abordons la question de l'orientation future de l'Ontario au sein de la Confédération.

I would like to say that indeed these are days when we have to be very careful about the future of our country, for that future is in peril. Let it be stated: I as a person who has been raised in Quebec and was born in Quebec, speak to my family—and my family was almost to a person supportive of the federalist cause through the 1970s and 1980s—but now I speak to my family in Quebec and what I hear is support for sovereignty-association and in some cases for separation.

The time is upon us, and the time is upon us as members of this Legislature, to take seriously the needs and aspirations of all Canadians, particularly in this province, as we are here to do business on behalf of those people who have elected us.

I remember the words of F. R. Scott, a great Canadian, who wrote: "There are two miracles of Canadian history. The first is the survival of French Canada and the second is the survival of Canada." We have survived. We have survived regional differences; we have survived linguistic differences; we have survived cultural differences. In some ways we can say that those differences have been the basis for the unity that we have felt, because there has been unity in diversity, and we have affirmed that through 124 years since Confederation, and even before that.

But now the questions need to be asked: What direction is this country to go? Where is the sense of nation-building and



nationhood which we yearn to see in our leaders, in this Legislature and across the country in the people of Canada?

I want to affirm there is no question that the select committee has gathered in its interim report some fundamental principles that need to be adhered to and supported: the sincere desire that Quebec should remain in Canada, that Quebec is a crucial part of the Canadian identity and that Quebec is a distinctive community within Confederation. Those need to be affirmed. They are principles that we need to begin from in the hope that we will be able to maintain the federation in the future.

But let us be clear that the divisions in Canada are brought on not only by linguistic and cultural realities but also by the fact that there are inequities in terms of economics. We have concerns in Canada. We have in Ontario 285,000 children in poverty; 588,000 people are on social assistance. We have unemployment statistics across this province from 5.8% to 11.9% and going up. Native people have the highest rate of suicide in Canada, in the whole of the world.

These social problems beg questions about the kind of economic union we have and the need for us to take seriously that as we negotiate about our political institutions, so we must negotiate around the economic institutions. Let us say also that in terms of those institutions, we must endeavour this next round of discussions to enshrine for the first time in the Charter of Rights and Freedoms that there will be economic rights for Canadians.

We have too many people who are homeless, too many people who are impoverished. The split between the rich and the poor in the country is daily growing. We need to ensure in effect that there is housing for people, that there is employment for people, that there is food and clothing for people and that these be rights given to all, every Canadian.

Now in my few minutes of speaking I am not able to touch on all the issues, but let me say that there is a question that we must keep uppermost in our minds and that is, what if failure? As we look to the future we cannot any more allow ourselves to be timid, apathetic or self-interested, but we must be courageous, committed and co-operative. We must be ready to use the imagination that we have to dream the dreams of nationhood, to live together in a society which will be uplifting and upbuilding for all people. If we do this, then we can be proud to be serving in this Legislature and proud to be working for the people of this country and this province.

1740

**The Deputy Speaker:** The member for Parkdale has 28 seconds.

**Mr Ruprecht:** I would certainly be delighted to participate in this important debate on the Constitution. I wish to thank the committee for the great work it has done for this country and for Ontario, and follow in the footsteps of those who have already made eloquent remarks today. But since you are informing me, Mr Speaker, that I only have 28 seconds left, I would like to continue tomorrow, with your agreement.

**The Deputy Speaker:** I would like to remind the member for Parkdale that this is not my decision, as you know so well.

**Mr Runciman:** I appreciate the opportunity to participate in this debate. I have an article here, "Duelling in the Dark," from the Globe and Mail Report on Business, which is a survey revealing deep divisions and dangerous misunderstandings between the business solitudes of Quebec and Canada over the future of a foundering federation.

I think that comment "duelling in the dark" not only applies to the business solitudes in Quebec and the rest of Canada, but also could probably well apply to the media and politicians across this country. I think a lot of this debate is reflective of that duelling in the dark, if you will.

I have only got eight minutes, so I want to get right to the point and make a couple of concrete proposals. The first is a clear response to the Allaire report. The report, endorsed by the Quebec Liberal Party, amounts to the almost complete dismantling of the federal government and the creation of a federal system in which no sensible Ontarian could want our province to participate.

This report, or anything similar to it, could never be the basis for any constitutional arrangements that Ontario would agree to, and we owe it to all Canadians, including Quebecers, to make that clear now. The Quebec Liberal Party and all Quebecers should understand that if their goal is massive decentralization or, failing that, separation, they may as well seek separation right now. It will do no one any good to have constitutional negotiations drag on for a year more, and then have all concerned realize that the whole process was a farce because the parties' respective positions were irreconcilable from day one. Such a course is a recipe for prolonged economic uncertainty and regional acrimony.

The Premier's response to the Allaire report has been an abdication of leadership. His comments have been evasive on the issues at stake and politically incoherent. The Premier seems to be saying that every constitutional issue is open to discussion except unilateral Quebec separation.

It is time for Ontario to stand up for what we believe in, and do it publicly. We can no longer rely on the Premier of Newfoundland to tell Quebec what Ontario really thinks. It is time to stop the happy talk and start the plain speaking with Quebec. We as a people must start to stand up and advocate what we believe in and stop hiding our own convictions because they might offend somebody.

The second step—and I have done this in conjunction with a friend of mine; we tried to sell this to the op-ed page of the Globe and Mail and the Toronto Star a few months ago with no success, and I am going to put it on the record in any event—is to call for the creation of an Ontario Commission on Constitutional Options. It should be a commission of non-partisan experts who would tell us the advantages and disadvantages, the feasibility and the likely form of our options. Its function should be only to define the options, not to comment on their merits. A decision on which option to take must be made ultimately by the voters themselves.

The commission should study the full gamut of options from best case to worst case. The options are, as I see



hem: (1) a Canada with 10 provinces; (2) a Canada with nine provinces; (3) Ontario as an independent country; (4) Ontario as a state of the United States. My first preference, and I am sure it is of all in this House, is a 10-province Canada, and my last is to see Ontario as an American state. But in a situation as serious and uncertain as the current one, it is vital that we understand the ins and outs of all our options.

Interjection.

**Mr Runciman:** Someone booed across the floor. I want to say that Gary Doer in Manitoba is now doing exactly this. The Manitoba NDP apparently is much more cognizant of what may happen to this country than the current government in Ontario.

There is a strong possibility that Quebec will be leaving Canada. There is no guarantee we can successfully resolve to mutual satisfaction the real and long-standing grievances that western Canada has with us. For those reasons, we must look at all possibilities now, unpleasant though some of them are.

The commission would provide answers to the following: Is there a politically realistic basis on which the 10 provinces can be reconciled, and what is that basis? Can the nine English-speaking provinces be reconciled, and on what basis? Is Ontario viable as an independent country? What political and economic relationships would a viable independence require us to have with others? On what terms, if any, might we become part of the United States, and what would be the economic, social and cultural effects of statehood?

We owe it to ourselves and all Canadians to get all the facts and possibilities on the table so that all of us can start making some sensible decisions. Quebec has spent much time and effort in defining the ins and outs of its options, and we must do the same. The fundamental problem Canada faces as a nation is that most French Quebecers, who have always considered themselves Quebecers rather than Canadians, have now concluded that it is both feasible and desirable to be politically independent.

The Allaire report is further evidence that there is little possibility of finding common constitutional ground between Quebec and the other provinces. This problem is compounded by the fact that economic patterns in the west are much more north-south than they are east-west. As a number of insightful commentators have pointed out, no amount of constitutional tinkering is going to alter these basic facts.

The blunt truth is that we are on the edge of fundamental changes in the political relationships our province has but have no serious analysis of the options and have not considered which of the choices are best for us. In the past we have tended to mute our voice for fear of offending public opinion in Quebec. That strategy has not worked and is politically bankrupt. Now is the time for us to consider what is best for us and for all Canadians in these circumstances and then vigorously advocate that position.

**Mr Rizzo:** Mr Speaker, I would like to begin by congratulating you on your election to the chair. I wish you

every success. Sorry, those were my notes of five months ago; better late than never.

Today I would like to say a few words about our province's role in Confederation. These are very crucial times for Canadians and Ontarians alike. As we face a period of constitutional reform, not since Confederation has Canada endured such heated debates, our charter questioned, our future unclear, our people confused.

As Canadians we are experiencing the worst institutional and political crisis of our times. As elected representatives we have the duty to respond to the needs of our people by temporarily setting aside our political differences and pooling together all our energies to lay the foundations for a Constitution that will satisfy the needs of a country so profoundly changed from its creation; a country where many of its people today are neither from English nor French descent, a country where the diversity of its people and the variety of its cultures is an asset and not a liability, a country which, thanks to its resources, should be able to feed and shelter all of its citizens, a country where words such as "homeless", "food bank", "poverty" and "unemployment" should be meaningless.

Instead, because of the political shortsightedness of many in our midst, we are at risk of throwing away years and years of human toil and sacrifice devoted to the building of this beautiful country of ours.

Now is the time to do things differently, and we can start by understanding that a nation's Constitution is meant to preserve and enhance the rights of its citizens, to encourage the development of individual talents in the context of a social fabric whereby all groups and individuals feel perfectly at home. Particularly for us Canadians, a Constitution should be the instrument that would allow us to stay united and prosper together, while at the same time celebrating our differences. Divided we all lose, including our own Canadian identity, and all Canadians from coast to coast should realize that. Only in unity everyone wins: Everyone can benefit economically, socially and politically.

1750

**Mr Stockwell:** I have some concerns I would like to express today with respect to the report and how it came forward and the context in which we received it today.

I believe there was a considerable amount of public opinion out there that was brought forward to this committee which is not reflected in this report. Whether one agrees or does not agree with that public opinion is academic, in my opinion. This committee was struck to go out and seek public opinion and report back to this House. There is a considerable number of people out there in this province who either do not care if Quebec separates or would just as soon it would. The difficulty I have with the committee is that it simply chose to deal with the facts that it found most palatable, most acceptable, and it put them down on paper and brought them before this House.

Three lines or four lines were left in this report to these people. It said, "A few witnesses felt that the separation of Quebec would be a painless, clinical exercise and that it would largely be a case of adjusting borders, debts and assets." That was it.



If you took into consideration the number of groups that came forward which were solicited on our behalf by the consulting group we hired for nearly \$200,000, and then you took into consideration the number of organized groups that came forward representing the point of view of an organization, cut away those from the 600, you may well have ended up with some few hundred people who came out as individuals, as citizens of this province, to express their opinion. I think those people who were representing just themselves hold a majority opinion in this province. Not that I agree with it, not that I disagree with it, but the fear I have is that this government and this House are going to be rudely awakened when these people respond at a time when this debate is in a high-fevered pitch.

There will be no time during the negotiations for us to step back and re-examine. If we are going to go into negotiations with Quebec and the other provinces and the federal government, we must have all our information before us. I think we need to commission a public report on the impacts, both cultural and economic, for this province should that eventful day happen that Quebec separates.

I think it is very important, because I do not believe this government will have time to backtrack and reassess its position. This committee started out with what I considered to be a reasonable mandate. I think it turned into a travelling love-in, and basically no political party wanted to breach the confidence of the others. Even today, when truly partisan politics gets involved, which sometimes happens, there are catcalls. That is a fact of life, and it is going to happen when we go out on the road to try to sell this package, or whoever goes on the road to sell this package.

There are a lot of people in this province who will not agree with this, will not agree with it at all. In fact, one person who came before the committee in Peterborough said, I recall very clearly: "I don't want this committee to go back to the House and simply report the facts it wanted to hear. I want this committee to go back to the House and report what it heard." In my opinion, they did not report what they heard. They reported the facts they wanted to hear. That is a flaw all of us have. They may be unacceptable; they are not pleasant facts; but it does not change the issue. They are still facts.

There are a number of people in this province who would not agree with this report and a number of people in this province who showed up before the committee, a great percentage who showed up before the committee, and said completely different things than this committee has reported out. They were relegated to three lines, and these are throwaway lines that I do not think are going to deal with the issue when the time comes to deal with it.

If you are ever going to get the people of this province to get out of this apathy they have reached—and there is apathy out there. When you talk to the people in your constituency office, unless you are in a completely different riding, nobody is talking to me about the Constitution. They are talking to me about unemployment and taxes and the Leafs, as sad as that seems. Constitution is the lowest number of calls you get in your constituency office, or at least that I have in my constituency office. They are apa-

thetic because they are tired and they do not trust politicians and they do not believe when politicians say they are going to do something.

This was another line in a long line of committees that went out to receive public input and then did the most basic error that public committees do: It ignored them. They ignored them. They know they ignored them. They know they showed up and said things that are not in this report. As I said before, they were not pleasant things they suggested, but those opinions they brought forward were none the less opinions that they held and a vast number of people out there hold.

Do not tell me they did not. In Collingwood, Orillia, Kingston and Peterborough, in all kinds of locations across this province they were saying some things I do not personally agree with, but they were saying them. If we ever come to the day when we have a referendum, there is going to be a shocking awakening of public opinion, because we have not dealt with the issue.

In closing, as I see the clock is running, the most important thing this government can do today in my opinion is to educate the public. They are going to be in for a cultural and economic shock should Quebec separate, a cultural and economic shock that I do not think they understand. The funny thing is, the one issue that may hold this country together is the debt, which as crazy as it sounds, may be the most compelling reason to maintain your status as a country, because I doubt very much any province could afford to absorb its portion of the debt. That is apparently more important to the people in my riding, in my constituency, than this entire debate.

I would caution the backbenchers to speak with their leader the Premier, because if he believes that a vast majority of people in this province agree with this report, he is very sadly mistaken, and if he agrees that the Chairman and the members of this committee went out and gathered accurate public documentation, he is very sadly mistaken. People either do not care or are opposed. There are some sections within that would support this, but I would not suggest it is the vast majority.

My recommendations would follow the previous speaker from our party with respect to getting the information, informing the public, because it is totally uninformed with respect to the economic and cultural impacts. In my opinion, the one very great difficulty, as I said before, with this committee report is that they have gone out to seek input from the public and once again a government has ignored the input.

**The Deputy Speaker:** Pursuant to standing order 33, the question that this House do now adjourn is deemed to have been made.

1800

#### PROPERTY ASSESSMENT

**The Deputy Speaker:** The member for Eglinton has given notice of dissatisfaction with the answer to a question given today by the Minister of Revenue. The member has up to five minutes to debate the matter and the minister may reply for up to five minutes.



**Ms Poole:** Today in the House I asked the question of the Minister of Revenue that I thought was quite a simple, straightforward one. But indeed the answer that I got from the minister showed that the minister not only could not answer the question but had no conception of the issue in her own ministry. This was notwithstanding a letter the minister had written on 14 February 1991, not that very long ago, where she had defended her ministry's record on the reassessment of apartments.

To refresh the memory of the House, this afternoon I quoted from the minister's letter to a North York tenant leader who was concerned about the reassessment of apartment buildings. The minister wrote back and said, "Contrary to the claims of the city of Toronto report, the minister will only reassess apartments and other properties when these have increased substantially in market value due to new construction or major renovations."

What the city of Toronto interim report had advised the minister was that reassessments of multiresidential buildings, or what we would commonly call apartment buildings, was occurring across the city of Toronto. These assessments were being done by Ministry of Revenue assessors, and they were not using the minister's guideline. Where there were no renovations, major or otherwise, there was no new construction, yet Ministry of Revenue assessors were going in and, on the basis that the rent-to-assessed-value ratio had changed, were actually raising the assessment causing an increase in taxes.

I cannot believe what the minister's reply was. She completely avoided the issue—as I said, I do not really think she understood it—and said she was aware that there were assessors out there in the city of Toronto and what they were doing is simply updating their records. They are doing this because this is a province-wide thing that the Ministry of Revenue does, and she knows that the city of Toronto is upset about it, but that is what they are doing to update the records.

I would like to make it perfectly clear. We are not talking about the updating of records. I am extremely upset and distressed that a Minister of Revenue of this province would not know the difference between an inspection to update records and a reassessment of a property which was directly related to an increase in taxes for that property.

I even tried to help the minister out in the supplementary by giving her a list of properties within the city of Toronto that had already been reassessed but not by the criteria she outlined to Mr Gosschalk in her letter of 14 February.

These properties, such as 90 Adelaide Street East, 1435 Bathurst Street, 39 Pembroke Street, 77 Pembroke Street, eight buildings on Lonsdale Avenue, buildings on St Clair Avenue West, buildings in the west end, are all instances

where there were not renovations and major changes in the capital structure. Yet her ministry has, over the past year or so, gone in and reassessed these.

If the minister wants to say that actually that was the old policy and the new policy is that they do not do that any more, I would point out to her the example of 39 Pembroke. The reassessment of 39 Pembroke Street was one that happened under her ministry while she was minister, and happened very recently.

I hope I can get a more prompt reply from the minister than on a previous occasion when I wrote to her. On 6 February I wrote to the minister and I asked her to stop the site-by-site reassessment of all properties in Toronto. She had made it clear that she had not made a decision whether to go ahead on market value assessment, and my point to her was: "Why are you wasting \$12 million of the taxpayers' money doing the site-by-site reassessment when you have not even decided to go ahead?"

That was seven weeks ago, and to date I have not received a reply. I am hoping the minister can not only give me a response to my question about apartments and how she and her ministry currently are going to reassess them, but also tell me at the same time in what month or year I may expect a reply to my 6 February letter.

**Hon Ms Wark-Martyn:** The member for Eglinton complained that some tenants in certain apartment buildings in Toronto face rent increases because of reassessment. The point of my answer, which I stand by, is that tenants should not be alarmed by the work of assessors who are currently updating records on properties in Toronto. Perhaps the member was unaware of this activity of updating records.

She also complained that the rent increases to which she referred were contrary to letters I had written and that I seem unaware of these developments.

First, it is very unfair to assume that I would have the assessments of every property in Ontario at my fingertips during question period. If the member for Eglinton has any information on any other property that she would like my officials to check, I would be happy to pass it on.

**The Deputy Speaker:** There being no further matters to debate, I deem the motion to adjourn to be carried.

**Ms Poole:** On a point of order, Mr Speaker.

**The Deputy Speaker:** There is no point of order. The debate is ended.

**Ms Poole:** I just hope it will not take another seven weeks—

**The Deputy Speaker:** There is no point of order. The debate has ended. There being no further matters to debate, I deem the motion to adjourn to be carried.

The House adjourned at 1808.



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
<b>Akande, Hon Zanana L.</b>	St Andrew-St Patrick	NDP	Minister of Community and Social Services
<b>Allen, Hon Richard</b>	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
<b>Boyd, Hon Marion</b>	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
<b>Buchanan, Hon Elmer</b>	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
<b>Carter, Hon Jenny</b>	Peterborough	NDP	Minister of Energy
<b>Charlton, Hon Brian A.</b>	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economic
<b>Churley, Hon Marilyn</b>	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
<b>Cooke, Hon David S.</b>	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
<b>Coppen, Hon Shirley</b>	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
<b>Farnan, Hon Mike</b>	Cambridge	NDP	Solicitor General, Minister of Correctional Services
			minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
<b>Gigantes, Hon Evelyn</b>	Ottawa Centre	NDP	Minister of Health
Grandmaître, Bernard	Ottawa East	Lib	
<b>Grier, Hon Ruth A.</b>	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Hampton, Hon Howard</b>	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	
Kwinter, Monte	Wilson Heights	Lib	
<b>Lankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Martel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
McClash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>North, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
<b>Philip, Hon Ed</b>	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
<b>Pilkey, Hon Allan</b>	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
<b>Pouliot, Hon Gilles</b>	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
<b>Rae, Hon Bob</b>	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
<b>Swarbrick, Hon Anne</b>	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
<b>Wark-Martyn, Hon Shelley</b>	Port Arthur	NDP	Minister of Revenue
<b>Warner, Hon David</b>	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
<b>Wildman, Hon Bud</b>	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

## COMMITTEES OF THE LEGISLATIVE ASSEMBLY

### STANDING COMMITTEES

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### Regulations and private bills

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 Clerk: Harold Brown

### Social development

Chair: Elinor Caplan  
 Vice-chair: Joseph Cordiano  
 Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer  
 Clerk: Lynn Mellor

### SELECT COMMITTEE

#### Ontario in Confederation

Chair: Tony Silipo  
 Vice Chair: Gilles Bisson  
 Members: Charles Beer, Marilyn Churley, Ernie Eves, Charles Harnick, Margaret Harrington, Gary Maldowski, Steven Offer, Yvonne O'Neill, Fred Wilson, David Winninger  
 Clerk: Tannis Manikel

### SPECIAL COMMITTEE

#### Parliamentary Precinct

Co-Chair: David Warner  
 Co-Chair: Noel Duignan  
 Members: Dianne Cunningham, Remo Mancini, Irene Mathysen  
 Clerk: Smirle Forsyth



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of Ontario

First Session, 35th Parliament

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(Hansard)

Wednesday 27 March 1991

Assemblée législative  
de l'Ontario

Première session, 35<sup>e</sup> législature

Journal  
des débats  
(Hansard)

Le mercredi 27 mars 1991

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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### **Table des matières**

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 27 March 1991

The House met at 1332.

Prayers.

## MEMBERS' STATEMENTS

### PLANT CLOSURE

**Mrs Fawcett:** I rise today with a great deal of disappointment and sadness, for yesterday the death-knell sounded for a 100-year-old family industry in the town of Port Hope: Cooper Tools. Cooper Tools was home to, in some cases, three generations of family employees. Now, over the next 8 to 10 months, Cooper Tools will face a slow death, forcing approximately 200 more employees to be added to the list of jobless that continues to grow by leaps and bounds.

It is no accident that this industry will now be transferred to the United States. The high interest rates and artificially high Canadian dollar make it impossible to compete in the global economy. This country's inflationary policies like the goods and services tax just further add to the difficulties for our industries.

As government, we put into place policies to assist these men and women who are devastated by this news, like the program for older workers' adjustment and transition. This government, in its Agenda for People, made several promises to workers suffering job loss. Where is the plant closure justification program? Where is the wage and benefit protection fund?

The Premier and the Labour minister had no problem failing at the governments of the day continually about the injustices to laid-off workers. But that was then and this is now, and the promises sit gathering dust on some obscure shelf, hoping they will be forgotten and go away.

This province needs leadership; these people need direction. Where is it and when will we see it? What commitment will this government make to assist those families affected by this recent decision at Cooper Tools?

### CHILDREN'S AID SOCIETY OF YORK REGION

**Mr Cousens:** Yesterday the member for York North effectively pointed out to the Minister of Community and Social Services the severe problems being experienced by the Children's Aid Society of York Region. I am calling on this government to address the society's financial needs and, more important, the needs of the children it serves.

This afternoon the minister will be meeting with officials of the York region children's aid society in an attempt to resolve several outstanding issues. I remind the minister that York region is one of the fastest-growing regions in this province. Over the past decade, our population has more than doubled in size. One of the major impacts that such burgeoning growth has had is an overwhelming burden on our social service network.

According to our children's aid society officials, York region is currently the lowest-funded agency per capita in the province. Their budget is the 13th largest, while their

service network encompasses the fifth-largest population base. Not only must they cope with operating at a deficit; they must also attempt to provide mandated services for an ever-growing population.

The children's aid society has undergone review after review, and each time the consensus has been that its base budget fails to reflect the reality of its needs. I call on the Ministry of Community and Social Services to make use of this opportunity to solve the problems in York region. It is even more unfortunate that this measure must be taken now that the board has had to resign. May they not resign; may they be allowed to carry on the job they have been given.

### BASKETBALL CHAMPIONSHIP

**Mr Sutherland:** I rise today to extend congratulations to the University of Western Ontario men's basketball team on recently winning the national championship. It was successful in winning by defeating Guelph 78 to 69 in the final game. This is the first time that an Ontario team has won the national championship since 1975.

I would also, at this time, like to bring attention to this House that this is the 100th anniversary of the founding of basketball. While Canada is recognized for its contributions in sports, particularly in hockey and curling, we sometimes forget that basketball was invented by a Canadian, Dr James Naismith. As is noted in the recent edition of the YMCA Triangle magazine, Dr Naismith was from Almonte, Ontario, went to McGill University, graduated from there and then became involved with the YMCA. He was sent to their international training school in Massachusetts and given the task of trying to develop an indoor activity for the wintertime that people could enjoy. After failing on several other attempts, Dr Naismith sat down and came up with the game of basketball.

It should also be noted that, unlike many other sports, women were playing basketball shortly after its invention. I think all of us should take time to remember that basketball, a game that many people enjoy the world around, was invented by a Canadian and an Ontarian.

### ÉDUCATION EN FRANÇAIS

**M. Daigeler :** La section catholique du Conseil scolaire de langue française d'Ottawa-Carleton gère six écoles élémentaires dans l'ouest de notre région mais aucune école secondaire. Cet état de fait engendre un taux élevé d'assimilation des jeunes francophones qui préfèrent s'inscrire dans des écoles secondaires anglophones de leur quartier plutôt que de s'imposer jusqu'à trois heures de trajet par jour pour fréquenter une des trois écoles secondaires situées dans l'est du territoire du conseil.

Pour remédier à cette situation déplorable, la section catholique a poursuivi plusieurs solutions afin de lui permettre d'offrir des services scolaires au niveau secondaire. Malheureusement, tous ses efforts ont été vains jusqu'à



présent. Le Conseil scolaire public d'Ottawa refuse de louer ou de vendre une de ses écoles disponibles.

Les parents et les conseillers de la section catholique du conseil francophone d'Ottawa-Carleton ont demandé à plusieurs reprises que le ministre de l'Éducation intervienne dans ce dossier.

Je me joins aux parents et au conseil dans leurs efforts. J'encourage le ministre de l'Éducation de faire de son mieux pour assurer le plus tôt possible une éducation française et catholique au niveau secondaire dans l'ouest d'Ottawa-Carleton.

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#### ENERGY FROM WASTE

**Mrs Marland:** In the standing committee on estimates on 18 February I asked the Minister of the Environment, "Do you feel that it would be fair for a proponent of an EFW plant—and I am thinking of St Lawrence Cement...to proceed into an environmental assessment hearing with their proposal to burn municipal waste in light of your position of opposition?" The minister responded: "If they chose to proceed, knowing what my position was, I assume under the law they have the right to do that. But I am quite prepared to tell anybody who asks me that I do not favour incineration of municipal solid waste."

One would hope that the minister's statement would be a signal to firms to suspend plans for energy-from-waste projects since it would be unlikely that the projects would receive the government's approval. However, St Lawrence Cement, which is located in my riding of Mississauga South, has signed an agreement with the firm of Lincoln Waste Management to obtain waste to fuel its cement kilns. Although the Environment ministry has serious concerns about many aspects of St Lawrence Cement's draft environmental assessment document, the firm plans to proceed to an EA hearing on its refuse-derived fuel proposal.

The EA will cost the taxpayers of Ontario a great deal of money. The government must immediately state its position on energy from waste and the incineration of solid municipal waste so that firms like St Lawrence Cement cannot waste taxpayers' money on environmental assessments for proposals that may go nowhere.

#### RANDY NORTON MacLEOD

**Mr Waters:** I am pleased to have this opportunity to address the House to recognize an individual of my riding of Muskoka-Georgian Bay who has been awarded the Decoration of Bravery by the Governor General, His Excellency the Right Honourable Ramon Hnatyshyn, for his acts of courage and bravery. As of 8 March 1991, Randy Norton MacLeod has the honour title of MB following his name.

On 17 November 1988, while out deer hunting, Randy Norton MacLeod of Mactier, Ontario rescued three of six hunters whose boat had capsized in rough waters on Vaughan Lake. Hearing screams for help, Mr MacLeod ran along the shore until he could see three people clinging to the overturned boat. He then swam across the channel to get a canoe, paddled back to the victims and made two

trips to bring them to a nearby island to which another victim had managed to swim.

Realizing the danger of having wet men exposed to the frigid temperatures, Mr MacLeod again made two trips by canoe to transport all four men to the mainland. Unfortunately, only three were able to be brought to the camp successfully. Mr MacLeod then set off in a boat for help and brought three friends back. Despite his exhaustion after several hours of rescue effort, he set out again to notify police and ambulance.

I would like to ask the House to join me in recognizing this individual for his courage and bravery. Mr MacLeod has a keen sense of responsibility to humanity. He has proven to be not only a conscious hunter but a concerned humanitarian. We can all learn a lesson or two from Randy Norton MacLeod's bravery.

#### LAYOFFS

**Mr Elston:** I rise in the House today to bring to the attention of all of us here the destructive effects of the recession and the effects it is having in at least one part of southwestern Ontario.

Last August as the current Premier was travelling this province he stopped in the town of Listowel in Perth county and referred to the town's growing economic problems. He basically told the people there that if he were in power he would alleviate the difficulties; he would prevent the layoffs and job loss.

Although it may be shocking, I would like to point out that layoffs are continuing to occur in the town of Listowel despite the fact that residents there believed this promise and, in fact, subsequently elected the candidate who stood for the Leader of the Opposition at that time.

The facts are there. Campbell's Soup in Listowel has recently laid off 38 employees. Other communities within the southwest region are also experiencing similar economic downfalls. Royal Homes has suffered layoffs in Wingham Stanley Door Systems has closed and Primdor in Wingham likewise is closing down. These layoffs are unacceptable.

Plant closures are also occurring in other places. Canada Packers has shut down, leaving 130 residents in the Harriston area without work. A further number of people in Mount Forest are likewise without work; 187 people are searching for employment as General Homes Systems in Hensall searches for a new owner. I can go on and recount how people in my riding are likewise looking for work because of the closure of a chopping mill in Hanover, and the list goes on and on.

In its throne speech, the present government said it would foster a society where economic change will not mean dramatic loss of income or self-esteem. That is happening now. This government is busier planning for municipal elections in the fall than planning to help laid-off workers.

#### SALE OF BEER AT MAPLE LEAF GARDENS

**Mr Runciman:** I rise to address the issue of allowing the sale of beer at Maple Leaf Gardens.

The members will know that this issue has been brewing for some time and we can only hope that the current government does not turn it into another brewhaha. This is



one of the toughest cases on the government agenda. I want to make my pint in a Crystal clear manner. The government was close to allowing beer in the Gardoos but when the Premier fired Peter Puck.

This is a premium opportunity for the government to foster good relations with the ale-ing Leaf franchise. This issue has Giffin me great Coors for concern. Now we have a new minister and we can only hope she realizes that this proposal has had sufficient time to ferment.

The issue has long since come to a head, and while we know that this government is often at lagerheads, we can only hope that it will not bock at this opportunity. This is a golden opportunity for the minister. The Gardens should no longer be dry; the Gardens should be Special Dry.

We can no longer make Lite of this issue. The government should move immediately to amend the stadium act to permit the sale of beer at Maple Leaf Gardens. This is an opportunity for the government to demonstrate that it is not an administration with no deposit and no return. Let's finally give Leaf fans a Rae of hope.

#### FEDERAL ECONOMIC POLICY

**Mr Wessenger:** In light of the Treasurer's announcement on the economy, I would like to add my own concerns about the state of the economy.

While we in Ontario are doing everything in our power to ensure that this province's high standards in social and health care services will not be compromised by hard economic times, the Conservative government in Ottawa hwards our every effort.

At a time when we in Ontario are pumping more and more money into post-secondary education, including \$1.6 million to Georgian College in my riding, the federal government is further cutting back its cash payments to education under the established programs financing act. Equally levastating is Ottawa's decision to continue its freeze on payments to Ontario for health. At a time when hospitals like the Royal Victoria Hospital in Barrie are desperately trying to meet the needs of the community, the federal government makes it almost impossible to maintain our national standards for medical care.

What about the workers of companies like Flex Industries, VDO-Yazaki or Caulfield Apparel, who already have had to experience the impact of the federal government's free trade and monetary policies? Is it fair to fight the recession on their backs by cutting job training programs and asking them to accept higher unemployment insurance contributions?

Finally, let us look at the impact of this budget on Ontario's most important resource: our children. Just ask organizations like the Simcoe children's aid society how it and others will manage to survive in light of the continued cap on the Canada assistance plan. Does the federal government not realize that it is paving the way for a decentralized federation by driving economic wedges into an already fragile Confederation?

#### STATEMENT BY THE MINISTRY

##### ALTERNATIVE DISPUTE RESOLUTION

**Hon Mr Hampton:** One of the commitments this government has made to the people of Ontario is to improve access to justice in the province. The fulfilment of this commitment will involve a wide range of programs and policies. It will also include initiatives in law reform to simplify the often intimidating legal system for the use of the public.

In this context I will be introducing today for first reading the Arbitration Act, 1991. Arbitration is a good and accessible method of seeking resolution for many kinds of disputes. It can be more expedient and less costly than going to court. The parties can design their own procedures and select appropriate arbitrators.

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The new statute will make it easier for people to submit private disputes to resolution by arbitration. It will do so in several ways:

First, when people have agreed to go to arbitration, the act will help ensure that all parties abide by this agreement.

Second, the ability of the courts to intervene in an arbitration is spelled out precisely, and as a result, the role of the courts will be constructive and less likely to be used by reluctant parties to delay the proceedings.

Third, the parties are given much freedom to design the procedures that suit them best. However, the act also sets out procedures to be followed if the parties do not choose their own and gives the arbitrator the power to bring the arbitration through to its conclusion.

Fourth, the enforcement of the arbitral award is made more certain and less dependent on the discretion of the court. Enforcement of all awards from other provinces is enhanced as well.

The new act is substantially the same as a uniform statute adopted in 1990 by the Uniform Law Conference of Canada. It is also related to Bill 226, introduced by the former government last year. We appreciate the groundwork laid by the former Attorney General in this area. Changes have been made to the new legislation to reflect comments received on Bill 226. The former bill said an arbitrator could become a mediator or conciliator and still resume the role of arbitrator with consent of the parties if those methods failed. To avoid an appearance of unfairness, this rule has been changed in the current legislation. If arbitrators engage in mediation or conciliation, they may not return to arbitrating on the failure of the other methods.

By passing this act, Ontario will be promoting consistent legislation across the country on the subject, as urged by the Canadian Bar Association and the Arbitration and Mediation Institute of Canada. I expect other provinces to follow our lead in this direction.

#### RESPONSES

##### ALTERNATIVE DISPUTE RESOLUTION

**Mr Sorbara:** I am pleased to respond to the statement of the Attorney General today relating to his intention to introduce the new Arbitration Act in the province of Ontario, and I am glad to see that he gave the appropriate



credit to the former Attorney General, the member for St George-St David.

I think probably my friend the Attorney General could have simplified his statement by saying that the government planned to introduce the bill that the member for St George-St David introduced into this House about nine months ago, and proposes to pass it. That would have been enough. The changes that he has made to the bill are minimal, and I want to tell the Attorney General that we look forward to dealing with the particulars of this bill when it comes to the justice committee of the Legislature.

I hope that when that bill does come there, the Attorney General and his ministry are not going to show the same inflexibility to comments from opposition members that he is showing and his colleagues are showing in the justice committee on the consideration of the support and custody orders enforcement bill, the child support bill. That bill has been in committee now for about two months. We have brought matter after matter before the Attorney General and he and his representatives in that committee refuse to listen, refuse to offer any concession to the evidence that was brought before that committee. I want to tell him here that the bill is going to be in committee for a very long time unless there is some flexibility shown by the government.

But what is more distressing is the fact that this government, in the face of the economic problems that this province is facing today, has the nerve and the gall to come before this House during ministers' statements and make one statement and one statement only, about an Arbitration Act. That bill is non-controversial. That bill will pass this House very quickly. It will assist in small measure the practice of law in the province of Ontario. The lawyers will be delighted to see its enactment.

But what about the people who are without jobs? What about the women who are now on welfare and cannot get co-operation even from the social service agencies that are supposed to be providing that? It is scandalous that the Attorney General and the government of this province, after a three-month recess, have the gall to come back to this House and make statements about moose licences, I say to the Minister of Natural Resources, and arbitration acts, I say to my friend the Attorney General.

Surely to God the government realizes that we are in very serious economic circumstances in this province. Indeed just today the Conference Board of Canada has once again revised its economic assessment for this year and has revised that estimate downward. That is to say that the economy is not going to do as well even as the conference board has suggested it was going to do. I think it is absolutely terrible that the government, in the face of situations faced by so many people all over this province, should choose to make one announcement today and one announcement only, that being on the Arbitration Act.

The Minister of the Environment had promised us months ago that we would be seeing legislation to revise the Environmental Assessment Act. Where is it? Sunday shopping: Now we are going to have a month's worth of consultation—a year's worth of consultation, excuse me. But even in the Attorney General's own ministry, it is apparent that nothing is going on except the promotion of

bills that already were well into the design stage under the previous government.

The Attorney General is responsible for alternative dispute resolution measures in this province. He could have made a statement about that today, and I am going to defer to my colleague the member for Ottawa West for a word or two on that.

**Mr Chiarelli:** The Attorney General will know that arbitration is only one small component of the whole area of alternative dispute resolution. Last June, the justice committee reported to this House a comprehensive report on alternative dispute resolution. That report included very expert opinions from people in ADR across the country, people such as Bonita Thompson from the Canadian Bar Association, Chief Gordon Peters from the Chiefs of Ontario and a host of other people. This committee reported nine comprehensive recommendations on the area of alternative dispute resolution, and this Attorney General has done virtually nothing with those recommendations. He is dealing with one small component, the question of arbitrations, and I would implore the Attorney General to respond to the people of the province of Ontario who are looking for leadership in the whole area of alternative dispute resolution.

**Mr Harnick:** For the limited purpose for which this bill is intended, it is a good bill. It is a bill that I look forward to reviewing. It is supported by the Arbitration and Mediation Institute of Canada, Ontario branch, and the changes to the bill from its intended predecessor are good changes, are realistic changes, and I look forward to reviewing this bill further.

**Mr Jackson:** I wish to enforce the statements by my colleague the member for Willowdale and again suggest to the new Attorney General that the whole area of alternative dispute resolution mechanisms that are available in jurisdictions across North America were recommended in the justice committee report of last June, in which I had an opportunity to participate.

The NDP caucus of the day, led by the former member for Scarborough West and myself spoke against the principles of its application for family law because of the very vulnerable position in which children in abusive situations would be put. We have yet to hear a statement from this government about whether or not it will rubber-stamp that approach that the Liberal government took last year and whether the government is going to remove its activities in this delicate area of family law and focus more appropriately on consumer areas, on the environment, where the public across this continent is actively involved in reducing court costs, finding mutually agreed upon solutions to relieve pressures in our courts.

This is obviously not a priority for this government if it is going to proceed simply with this minor amendment to the Arbitrations Act, when in fact there is a whole opportunity available to a government if it is committed to better and more efficient government and ultimately fairer services and justice in this province. I encourage this government to be looking in that area aggressively and forcefully and to present legislation to this House as soon as possible in the best interests of the citizens of this province.



## FUND-RAISING

**Mr Elston:** On a point of order, Mr Speaker: I rise today to bring to your attention a particularly interesting piece of information. It really arises from an answer given by the Premier yesterday to the question of tollgating on the population in Ontario to the sum of some \$800-plus to go to their 25 April get-together for New Democrats. We were told and led to believe by the Premier at that time that we had no knowledge of this information and yet we see that the return address—the business envelope is indicated to the New Democrats but above that is a line which is opaqued and under that opaquing fluid is the name Bob Rae, which is clearly visible when one either scratches this off or takes a look at it from inside.

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The point of privilege is this, Mr Speaker: We were led to believe yesterday that there was no involvement by any of those people, but it is clear that the Premier's name is being used as a way to attract attention and that this is a manner in which they will ensure that people know that he is associated with this particular event. I find the need to ask the Speaker to rule on the propriety of the answer given in this House yesterday.

Interjections.

**Mr Elston:** I would send it over, but you might destroy it.

**The Speaker:** I was operating on the assumption that when a member raises a point of order the member would like to hear a response. I think what the member has is quite properly an item of discussion for question period and not a point of order. I do appreciate the fact that he raised this matter before us.

## ORAL QUESTIONS

## EDUCATION FINANCING

**Mr Nixon:** I have a question for the Treasurer in his capacity as philosophical high priest for the labour socialist party, the left wing at least. In that capacity he must have recommended to his leader and his colleagues that the government very properly accept the responsibility to move in five years to pay 60% of the overall operating costs of education.

In his announcements on transfers made a few days ago, weeks ago now, he indicated that they were not moving towards accomplishing that commitment. As a matter of fact, it depends on who is doing the arithmetic. If the commitment is 60% of the total operating costs, his announcement will pay 40.8%, which is down from 41.5% during a period when a more generous government, more thoughtful about education, was in office; or if it is 60% of total expenditures, including pension and capital, then it is 45.6%, down from 45.9%.

Once again, there is no move towards achieving the commitment upon which the government was elected. I understand that the Treasurer said repeatedly that they are having trouble keeping these promises, but surely one having to do with the quality of education should be the last to go. Will the Treasurer say that that commitment still stands

and specifically what is included in the arithmetic? Surely the goal is 60% of operating costs.

**Hon Mr Laughren:** The Leader of the Opposition is quite correct in his numbers, as I recall them. He is also correct in that we have a long-standing commitment to improve and enhance the amount of the cost of education that is assumed by the province as opposed to the local property taxpayer. At the same time, I think that fair-minded members of the assembly and others would agree that during these very difficult times we went some way to improving and increasing the amount of transfers to all our transfer partners out there in the province of Ontario.

I would ask—I almost called him the Treasurer—the leader of the official opposition to compare the amount that this government has transferred to the educational sector with what any other jurisdiction in this country has transferred to its educational sector.

**Mr Nixon:** That answer is about as effective as it was when I gave it. The Treasurer, and I say this most carefully, must have been directly associated with the 60% promise and, having been Treasury critic for a number of years and being knowledgeable in those matters, he must have realized what a huge commitment this was. Does he agree with the Minister of Education who said, when questioned in one of our standing committees, that in fact the calculation of this percentage would have to be adjusted and that there was some discussion of including costs that are extraneous to the actual operating costs of the schools?

The Treasurer would know that most of the members of the Ontario Secondary School Teachers' Federation are being awarded increases in salaries right now amounting, in the case of Brantford, for example, to just about 12% over two years with other substantial enrichments. Since the salaries of teachers are about 75% to 80% of the total cost, would he not agree that he is rapidly falling behind rather than moving towards keeping his commitment of paying 60%?

**Hon Mr Laughren:** No, I would not agree that we are rapidly falling behind. First of all, there has been not one single indication from this government that we are retreating from the promises in the Agenda for People. What we have said is that we believe as much in the principles contained in the Agenda for People now as we did when they were written. What has changed obviously is that it is much more difficult now than it was when the Agenda for People was written to be able to start that process.

We fully intend—and I know it is a serious question from the Leader of the Opposition—to honour all the commitments we have made. I do not know when we can start the process of increasing the amount of money that we provide as a proportion of total education cost to the educational sector. I can tell him that at the present time, with our revenues being very flat and our expenditures going up, not even the leader of the official opposition would expect us to move in that direction in this fiscal year. I do not think he would.

**Mr Nixon:** I would have expected the Treasurer to hold the line. I do not think that this is an inappropriate



suggestion. If he is going to move to 60% in five years, he should not allow it to go back. I just want to quote from the leadership of the Ontario Secondary School Teachers' Federation, which everyone in the province knows is moderate and well informed and not normally moving out into a position of making statements that are in any way untoward. The quote is as follows: "We call on the Treasurer to define publicly once and for all the components of the provincial share and to agree not to change the definition unilaterally. Were he to do so, he would impose a much-needed measure of integrity on our discussions." Is he prepared to do that?

**Hon Mr Laughren:** Yes, it is our intention, because we regard the educational sector out there, including the teaching profession, to be our partners in the delivery of education in the province of Ontario. We do not intend to impose it unilaterally.

**Mr Nixon:** The teachers are implying, or at least I am inferring, that the Treasurer lacks integrity. I would never say that; I would not have thought those thoughtful, moderate teachers would say that, but they have.

**Hon Mr Cooke:** Just think what they were saying about you.

**Mr Nixon:** That is exactly what I have in mind and I am glad the member is perspicacious enough to notice it.

#### ASSISTANCE TO NORTHERN ONTARIO

**Mr Nixon:** This morning, we in the Liberal caucus were extremely fortunate to receive a visit from a major delegation of business and municipal leaders from northwestern Ontario, the chamber of commerce. The Treasurer and some of his colleagues and the Premier may no doubt be meeting them later in the day. They told us of the major economic difficulties now facing northwestern Ontario.

For example, as the Treasurer would know, regional unemployment in northwestern Ontario is now 13.5%, as compared to 7.1% when the NDP government came into power just six months ago. Members of the delegation told us they could confront these economic challenges as long as they were allowed to stay competitive and play in a level playing field in what has become an increasingly global marketplace.

Given that the Treasurer has now publicly and officially abandoned the NDP promise of a \$400-million northern fund, can the Treasurer outline what specific proposals his government will put forward to ensure at least a fighting chance for the people and businesses of northwestern Ontario?

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**Hon Mr Laughren:** It did appear a short six or eight months ago that it was going to be much easier to provide assistance to northern communities when we had a surplus, but that now is becoming increasingly difficult to do. I would remind the former Treasurer that we do have an active Minister of Northern Development and a Minister of Mines, both of whom have a very good understanding of the problems of northern Ontario, and the Northwestern Ontario Municipal Association can be assured that we will

listen to it very carefully. We take their concerns most seriously.

There are problems all across northern Ontario, not just northwestern Ontario. As the leader would know, we have very serious problems in Elliot Lake and Sault Ste Marie as well, not to mention a large number of sawmill communities. It is a serious problem and we will be addressing it but I can tell the Leader of the Opposition it is not going to be easy.

**Mr Nixon:** I have a high regard for the minister's colleagues who have special northern responsibilities, but the Treasurer is the person who has decided that the \$400 million promised over the next two or three years will not be forthcoming. As a matter of fact, one of his ministerial colleagues indicated that the unemployment situation in the north is not as bad as it is in the south.

One of the difficulties that businesses face is the problem of cross-border shopping, believe it or not. We were informed that at the Pigeon River crossing, the increase of goods declared was \$28 million year over year. The minister is aware of this problem. His colleague the Minister of Revenue, when asked about using the provincial sales tax that would be payable on declared goods, said, "Consumers would just go rangy on us, if any changes were made in this existing system."

Do the Treasurer and his colleagues have any idea of what might be done by way of legislation or regulation or special assistance to assist those businesses, in northwestern Ontario particularly, that are really being forced to the edge by the government of the day taking no action on this problem of cross-border shopping?

**Hon Mr Laughren:** I can assure the Leader of the Opposition that we are very much aware of the problem. My own colleagues are for ever bringing it to my attention.

Interjection.

**Hon Mr Laughren:** Well, it is not. The member surely understand, and the Leader of the Opposition will, know, that it is not simply a provincial problem. It is not that easy.

**Mr Sorbara:** Interest rates, high dollar.

**Hon Mr Laughren:** That is right. Interest rates are a problem, the value of the dollar is a problem. We know that.

Quite frankly, when I saw what the federal government did by putting in an express booth in British Columbia without consultation with the provincial government of British Columbia, it seemed to me that was not a particularly helpful thing to do.

I would further add that I believe tomorrow—

**Mrs Caplan:** There are things that you can do. That doesn't help those municipalities, Floyd. You've got to do something.

**Hon Mr Laughren:** This is a serious question. I am surprised that the leader's colleagues are not paying more attention to the answer.

It is my understanding that the standing committee on finance and economic affairs begins an examination of this very problem tomorrow. We are looking for advice from



he committee, and just as we sought advice from that committee in the pre-budget consultations and it was very helpful in that regard, we are looking forward to its advice on the whole question of cross-border shopping as well.

**Mr Nixon:** The Treasurer has already got advice from his colleagues; for example, on the price of gasoline. The Minister of Natural Resources has unloaded on that one. The Minister of Northern Affairs has called for equalization. Can the Treasurer tell the people of northern Ontario when he will be implementing the promises of these ministers and the party for having a graduated gas tax for northern Ontario, and will he as well explain to this House what programs he plans to implement to offset the negative economic aspects in northwestern Ontario of a minimum wage which guarantees 60% of the average industrial wage in Ontario? The gas tax graduation is a very good idea. The other aspect is, when the government keeps its commitment to raise the minimum wage to \$7.50, moving to \$9 in three years, what is he going to do to offset that impact on the tourist industry?

**Hon Mr Laughren:** I am surprised that the Leader of the Opposition would raise that question, since when he was over here he would not entertain that very idea. However, I want to assure the—

**Mr Nixon:** Looks good from here.

**Hon Mr Laughren:** That is right.

**Mr Mahoney:** That was then.

**Mr Nixon:** What are you going to say about it? You thought it was a good idea.

Interjections.

**Hon Mr Laughren:** There you go. I do want to remind the leader of the official opposition that this government has already made a very major commitment to northern Ontario. Out of the anti-recession package of \$700 million, we put \$148 million of that into northern Ontario. We have provided \$15 million for Elliot Lake already and another \$15 million for the sawmill communities in northern Ontario that are in some difficulty as well. So I think it is not fair for the leader of the official opposition to imply that we have not already gone some distance to aiding the problems and helping to solve some of the problems in northern Ontario.

#### NORTHERN TRANSPORTATION

**Mr Harris:** I give up on the Treasurer when it comes to northern Ontario, and it has been reconfirmed by the response to the questions today from the leader of the Liberal Party. I will ask my questions of the Minister of Northern Development so we can ascertain if there is anyone over there lobbying on behalf of northern Ontario.

The minister had lunch today, I believe, with the delegation—or if she did not, she cancelled and they thought she was going to have lunch with them—from northwestern Ontario. She is aware of their brief and their presentation, and later today, as soon as the Premier figures out what he is going to say—that is why he is not here today, I guess—on the Constitution, I guess it will be tonight, he will be meeting with them.

One of the areas, though, they would have brought up with the minister at lunch is the area of transportation in the north and the difficulty that they have. They will remind her of her party's commitment, over and above all the millions of dollars that have been brought up so far, specifically of \$100 million to proceed with the four-laning of the Trans-Canada Highway across the north.

I wonder if the minister can tell us if she is lobbying from Old Scroogie there, who can run the deficit up to whatever for the rest of Ontario, but when it comes to living up to the Agenda for People commitments that got those people elected, he says no. I wonder if the minister can tell us whether we can anticipate and those in northwestern Ontario can anticipate anything over and above the current level of allocations for highway improvements in northwestern Ontario.

**Hon Miss Martel:** I want to begin by pointing out to the leader of the third party that I have made it very clear to the delegation that I would be most happy to meet with them tonight. A number of northern and southern cabinet members are meeting with them. They were told very clearly I could not attend this afternoon because I was in cabinet. They are very aware of that.

Second, my colleague the Minister of Transportation and myself and our respective staffs, along with Treasury staff, have been meeting on a very frequent and ongoing basis to try and deal with the question of what we are going to do with respect to northern highways.

I can tell him that there are a number of initiatives going on. The Minister of Transportation at this point is looking at speeding up a number of the engineering studies, we have talked to our colleague the Minister of the Environment with respect to the environmental assessments and how that process might be amended in order to help us get some of that work done, and we hope that we are going to be in a position to make an announcement in the near future with respect to what we are going to do.

**Mr Harris:** There are two things, though, that are here. One, if they are going to soften the environmental process so that we can get things approved quicker, that would be one thing. The difficulty is that, regardless of whether approvals are in place, there is no money. There is no money. They promised the people of northern Ontario—the people of northwestern Ontario are down here now asking about these promises—\$100 million of brand-new money for four-laning. This is each and every year. They are saying: "Look, you don't have to spend it on four-laning. We'll accept one cent of new money on anything, whether it is passing lanes, whether it is improving the transportation corridors, whether it is repairs to existing highways that are deteriorating."

Is the minister prepared to fight? I know she will say, "The Treasurer, we have to wait for his budget." All I am asking her to do is speak on behalf of northerners. Is she prepared to fight for the \$100 million that her Premier promised in new money each and every year for northern Ontario transportation?



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**Hon Miss Martel:** I am always amazed at how the leader of the third party can come in and talk on the one hand about cutting budgets and on the other hand how we are going to spend and how we should be spending. I remind him that there is a very clear paradox there in those two issues. He cannot have it both ways.

I would point out to the leader of the third party that it would be very helpful if he would go lobby his federal colleagues and get them on board, because we certainly could use some cost-sharing on the part of the federal government for the four-laning of the Trans-Canada Highway, and I can tell the leader of the third party that his federal colleagues are not interested in dealing with us. As a northerner, he might want to go and lobby his federal counterparts on our behalf as well.

But I can tell him one more time that there are a number of discussions going on. We are hoping to move forward all the planning processes that can be done and we hope to make an announcement with respect to money in the very near future. Passing lanes would be a part of that proposal as well.

**Mr Harris:** I want it to be very clear. I made it clear to the people from northwestern Ontario that I did not promise them \$100 million of new money. In fact, I said we could not afford it; we could not do it. The people did not vote for me, because I guess I said I could not afford it, but their party said it could. The Premier said: "We can afford it. We will give you an extra \$100 million." That is what they are interested in hearing of. My commitment is clear: We cannot afford it, so do not confuse that commitment. I said no, but they have refused to say no. They have said yes to everything, and that is the difference.

So let me ask the minister about one of their other commitments, in addition to the ones that were raised before, in addition to the \$100 million. The Premier said in the election that he would start a multimillion-dollar fund to protect the resource-dependent north from boom and bust cycles, over and above all the other programs, over and above all the existing money. Could the minister tell us the status of that.

**Hon Miss Martel:** I will try one more time. I know very well what we said during the course of our Agenda for People and what we said during the election campaign, and I appreciate hearing that the leader did not make those kinds of promises and he might not want that kind of money. However, his municipality in North Bay is very much lobbying me for this kind of activity.

Let me say to him that we are working between the two ministries to try to speed up a number of the engineering studies that can be done with respect to a number of projects across northern Ontario. We have talked to our colleague the Minister of the Environment with respect to a more efficient environmental assessment process, not a softening but a more efficient one that would allow us to deal with these projects, and we hope to make an announcement on these in the near future.

#### METROPOLITAN TORONTO POLICE SERVICES BOARD

**Mr Carr:** My question is to the Solicitor General and it deals with a press release today which says, "Rae also said today he supports Susan Eng for the chair of the Metro Toronto Police Services Board." I would refer to a couple of quotes. From Mayor Johnson, "It is like putting the fox in charge of the henhouse." Mayor Trimmer said, "The chairman should be able to relate to everyone, and she certainly can't do that." She goes on to say, "I don't want a juvenile heading up the police board." That is the mayor of one of our municipalities. Furthermore, she also says, "Eng is too antagonistic."

My question to the Solicitor General is this: In light of these very dramatic statements, does he agree with the Premier and feel that she should be elected as chair of the police services board?

**Hon Mr Farnan:** May I also quote? I am quoting from Michael Valpy in today's newspaper, and he says, "Ms Eng, apart from her past two years on the police board, has had a 15-year history of community involvement with organizations such as the Urban Alliance on Race Relations, the Chinese Canadian National Council, the Ontario Press Council and the Premier's Council on technology and industrial change."

I would suggest she comes with a fine record and is fully deserving of the appointment.

**Mr Carr:** The decision is not up to Mr Valpy, it deals with municipal issues and this is what municipal politicians are saying. Yesterday he said that he was going to consult; now he is cherry-picking. He is picking out the things he wants to hear and he is disregarding other ones. He is cherry-picking in his consulting is what he is doing. Consult if necessary but not necessarily consult.

Let's go to some more quotes. Here is what the police say. The effect of Eng's appointment could have a serious effect on the morale among officers. "Maywood said he and other officers are concerned because Eng demonstrated an 'adversarial' attitude to police." Art Lymer says, "All she's done is criticize.... Both men said they fear Eng doesn't understand what conditions are like for officers on the street."

We are not interested in what Mr Valpy would say. We are interested in what municipalities are saying, and my supplementary question to the minister is this, what does this appointment do to the morale of the police officers in this city when they have these comments and then he stands up and supports this person to become chair of this police services board?

**Hon Mr Farnan:** First of all, I want to address the first part of the member's question. There is a distinction in terms of appointments. Some appointments are the Premier's prerogative, and I would point out to the member that there is a historical tradition in terms of those appointments that are made from the Premier's office and those that are made from the Ministry of the Solicitor General.

I also want to point out to my friends on the opposite benches that indeed there is a very clear process being



nunciated and developed and which will be introduced into this House which sets up a committee for police appointments, commission appointments, for the future.

The reality of the matter is, and I have this on very good authority, that a very thorough search was made for the best possible appointments to the board. The decision was made very carefully. The selection process was made with consideration, and the result of the consideration was the support for Ms Eng in the position, and therefore I believe it should have the support of all people who want to encourage co-operation within policing across the province and within this city. I would urge the member, rather than be destructive and finding fault, let him put forward positive solutions in terms of policing for this province.

**Mr Carr:** I guess I am one of the ones who will be consulted. I hope the Solicitor General will not cherry-pick my ideas and just leave the other ones aside, but my question is this: I believe he has a very serious problem. On the one hand, he has appointed somebody who has criticized the police. He stood up in this House and agreed with it, so therefore he must agree with a lot of her criticism in the past. If he got her on the board, he obviously must agree with it. My question is this: Does the Solicitor General agree with her past criticism of the police, and if not, will he now stand up and say that he does not want her to be the chairman?

**Hon Mr Farnan:** I want to quote for a moment.

"Was Ms Eng 'anti-cop' when she and Chief William McCormack appeared in a police video created to bridge the gulf of suspicion between the police and the Chinese community during a spate of Chinatown crime and violence?"

"Was she 'anti-cop' when she supported the Toronto Chinese Business Association's campaign to bring foot-patrol officers who speak Asian languages into Chinatown to establish a community-based policing unit?"

"Is she 'anti-cop' when she criticizes some of the practices and policies of Toronto's police or tries to improve the way the police do their jobs and serve their communities?"

We have a good person with a good community track record who was willing to put forward herself to serve the community. We are putting our trust and our confidence in her and we hope that she will receive the support of all members of the House.

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#### ECONOMIC POLICY

**Mr Mancini:** This is for the Treasurer of Ontario. It is his responsibility to ensure that every part of this province is allowed the opportunity to participate in the government's anti-recession campaign. He promised funds for capital assistance in order to create jobs and ease unemployment in Essex county, where welfare case loads have increased more than 50%, where unemployment sometimes reaches the second-highest level in all of Canada and is now hovering well over 13%.

With these facts in mind, I know the Treasurer would agree with me that funds must be directed to Essex county. In spite of our economic suffering, the Essex county public school board and the Essex county Catholic school board are the only two, out of 21 boards, in all of southwestern

Ontario that did not receive a single penny from the Treasurer's anti-recession campaign. Does the minister think this is fair and does he approve of this?

**Hon Mr Laughren:** First of all, there was a very complex and I think reasonable set of criteria that determined where the \$700-million package of anti-recession money went, and it was based on need. I think it is not appropriate for the member to imply that because of welfare case loads, Essex automatically should have got more money, because if we use that criterion, first of all, it simply was not possible in view of the large number of welfare case load increases all across this province. We tried to strike a balance on spreading the money across the—

**Mr Mancini:** Zero is the balance? Zero?

**Hon Mr Laughren:** Well, we tried. Every community and every school board could not get what it wanted. It is as plain and simple as that. It was very difficult to appropriate across the province. There were major problems in northern Ontario. The school boards were not the only people out there to get money from the anti-recession package. The municipalities were involved, the hospitals were involved, some school boards were involved, so it is not appropriate to simply pick on one school board that did not get a part of the anti-recession package and say that there was any other reason for that.

**Mr Mancini:** Let me be very clear: We did not pick on the Essex county school boards, where unemployment sometimes reaches the second-highest level in all of Canada. They picked on them by allocating zero dollars, out of all southwestern Ontario.

We care about the opportunity for people to work in Essex county, and I am waiting to hear from the member for Windsor-Walkerville and the member for Windsor-Riverside and the member for Essex-Kent and the member for Windsor-Sandwich. I am waiting to hear from them.

Several weeks ago, trustees in Essex county publicly stated that they were told by officials in the Ministry of Education that the minister would financially punish them for not carrying out the orders of the minister, even though these orders were not in the best interests of Essex county. Are these the standards in government established by the NDP, whereby people are denied the opportunity to take part in government programs, denied the opportunity to work, denied the opportunity to improve our educational infrastructure just because we do not agree with NDP socialist policy?

Will the Treasurer join me and stand up for the unemployed in Essex county? Will he join me and stop the Minister of Education from taking her revenge on the backs of the unemployed and will he ensure the integrity of his—

Interjections.

**Mr Mancini:** Will the Treasurer stand up? Mr Speaker, I want to speak for the unemployed in Essex county. I think I have a right to do so.

**The Speaker:** Finish posing your question.

**Hon Mr Cooke:** After 15 years, it is about time.

**Mr Bradley:** That was then, this is now.



**Mr Christopherson:** You were then, we are now.

**The Speaker:** No one could ever accuse the members of this assembly of not being lively and interested in public business, but perhaps we could curb a bit of our enthusiasm so that the member for Essex South could succinctly complete his question.

**Mr Mancini:** Will the Treasurer ensure the integrity of his anti-recession program and will he ensure that all citizens of this province are treated equally and will he allow appropriate dollars to flow to Essex county?

**Hon Mr Laughren:** First of all, I think the member would acknowledge that there has been a fair amount of money go to the Windsor board. I think it is now \$12 million so far, with more to come, so I think it would not be fair for the member for Essex South to leave the impression that we are not doing the best we can for the people in southwestern Ontario, including Windsor and Essex county.

I would urge the member, however, to do what he can to help resolve a very difficult problem between the school boards in Essex county. The sooner that happens the sooner we will get on with helping the school boards get on with their job of providing education.

#### PURCHASE OF HYDRO PLANT

**Mr Harris:** I have a question for the Minister of Energy. Sixteen months ago Ontario Hydro signed a deal for the purchase of Smoky Falls power plant from the Spruce Falls Power and Paper Co Ltd at a cost of \$115.5 million, rising some \$2 million a month for every delay in closing that deal.

I would ask the minister, given the fact that the employee option purchase plan to save 1,200 jobs in Kapuskasing is contingent upon this transaction being completed, what is she doing to make sure that Hydro closes this deal before the end of April?

**Hon Mrs Carter:** I thank the member for that question. We are most concerned with the people of Kapuskasing and the maintenance of jobs in that area. However, Ontario Hydro cannot be expected to purchase a plant that has not gone through environmental assessment and that will not in fact be sure that it can produce power until that assessment is concluded.

Ontario Hydro has the responsibility to manage its financial contracts in such a way that money is spent to benefit the electricity system of this province. An inter-ministry group has been meeting with the company and with the concerned workers to assist them in working out a solution to the problems associated with the purchase of the company. We will continue to seek ways of assisting the people of Kapuskasing.

**Mr Harris:** Short of listening to the propaganda that Hydro is giving the minister that it cannot complete this transaction without the complete environmental assessment being through, which is totally untrue—it can complete the transaction. They can take the responsibility for whether the environmental assessment will be successful or not. They can take the responsibility. It is they that wanted to buy it. It is they that wanted the power and they

could take that responsibility, I suggest, easier than the 1,600 employees who are going to lose their jobs can take that responsibility.

I would ask the minister this: Why did Hydro take this and roll it all into the overall study, which will take three, four, five, maybe fifty years if the minister cannot amend the environmental assessment process? Surely she would agree with me this is an older plant. It is operating, it is generating electricity, no matter who owns it. Surely since the environmental assessment of that is complete and finished, it could be treated separately from whether we are going to build extra nuclear plants. Ontario Hydro could take that obligation instead of employees, and we could get on with saving the jobs in Kapuskasing.

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**Hon Mrs Carter:** I think it is rather odd that the member of the opposition wants to anticipate the results of the environmental inquiry. I do not think there is much point in undertaking this kind of inquiry if we are going to assume what the outcome is going to be.

I also think Kimberly-Clark has an obligation to keep its side of the bargain, and at this point I would like to ask my colleague the Minister of Industry, Trade and Technology if he has something to say on this issue.

**The Speaker:** New question. The member for Durham East.

#### SALE OF TOBACCO PRODUCTS

**Mr Mills:** My question this afternoon is for the Minister of Health, and it is a serious health problem, I think, in the province of Ontario. Some 13,000 people die prematurely in the province of Ontario every year due to use of tobacco. This figure is more than the deaths attributed to homicide, suicide, traffic accidents, AIDS and drug-related use.

In my riding there are many pharmacies that sell cigarettes and tobacco products, and in particular the large drug centres. I find this behaviour totally unethical and I am asking what the ministry is going to do to stop this practice of pharmacies that promote health selling tobacco.

**Hon Mrs Gigantes:** I welcome the question. The member for Durham East is aware, I am sure, as other members of the Legislature have drawn to his attention that I am myself a smoker. I have always found it convenient to buy cigarettes at pharmacies but, along with other people in the province of Ontario who have not managed to quit the addiction, I recognize that the selling of cigarettes in pharmacies in Ontario really is a contradiction in health terms.

This has also been recognized by the College of Pharmacists in Ontario, and in October it voted to have pharmacies in Ontario stop providing sales of cigarettes. It has set up a task force to implement that policy which expects to be reporting in June. I am looking forward to its report and I have offered whatever assistance the Ministry of Health can provide to make sure it is able to follow through on its policy.

**Mr Mills:** What role does the minister see her ministry playing in this decision-making process?



**Hon Mrs Gigantes:** So far, the College of Pharmacists has not been able to persuade all its members that they should voluntarily adopt the policy of stopping cigarette sales. If it turns out that its task force decides there needs to be a change in legislation to accomplish this, certainly I will very much encourage the Ministry of Health to take the recommendation seriously and consider bringing forward changes to legislation.

#### SOCIAL ASSISTANCE

**Mrs McLeod:** A question for the Minister of Community and Social Services: Our leader has been repeatedly asking about the huge increases in the numbers of people on welfare rolls across this province. In spite of the minister's very vague assurances, there is clearly no coherent plan to provide relief by getting people back to work. In the meantime the municipalities are more and more concerned about the escalation of their share of the costs. In fact, the community services committee of Metropolitan Toronto council yesterday approved a 51% hike in the social services budget for Metro city council. The minister, in response to that question about it, indicated that she was indeed concerned, monitoring the situation, hoping it would level off. She spends more time—as she is quoted saying—praying than projecting, but it does not look good.

I wonder if the minister can tell this House, and through this House the municipalities across this province, what she will do in a very direct and a very concrete way to assist them as they now prepare their budgets and set their mill rates.

**Hon Mrs Akande:** I will repeat for the benefit of the member that, yes, in fact we have co-ordinated our efforts. We have already begun to assist. We have moved to have the immediate application for people who will eventually be on FBA done just at the general welfare assistance source so it can move more quickly. We have increased the number of staff at the municipal level so as to speed up the process whereby they move right on to provincial rolls rather than remain on the municipal rolls. We have, in fact, recommended to them that they stop going out for the home visits so that they could process the applications much more quickly. We have begun to address other ways and meet with municipalities in order to find ways in which we might further assist them. I might also mention that, yes indeed, I do pray.

**Mrs McLeod:** I appreciate the minister's reiterating the very vague assurances which she has given our leader over the past two days. I still continue to believe that there is no evidence that people are actually being successfully helped back to work. In any event, that was not my question this afternoon; it was not the focus of my concern.

My concern was with the immediate relief that can be provided to municipalities as they prepare their budgets for this current year. The government now has three separate reports, all recommending that the province should assume 100% of the costs of social assistance: the Social Assistance Review Committee report, the Provincial-Municipal Social Services Review Committee and, most recently, released last week, the Ballinger-Hopcroft review on provincial-municipal financing. The minister's own fast-tracked

report on welfare reform recommends that the province assume a greater share of the costs of social assistance immediately.

The municipalities cannot wait three years for a commission on tax issues to report. Will the minister today commit to taking this one step that everyone now agrees with? Will she commit to paying an increased share of the costs of social assistance for longer than just this current year? Will she commit, if not to paying 100% of welfare costs, even to paying 100% of the increased costs as a first step?

**Hon Mrs Akande:** I would be remiss to say that we are not considering changes of a long-term nature in terms of the funding relationship, but, too, I would be anticipatory if I mentioned those changes here in the House long before they had been decided upon. In fact, the focus of my response to the member was the kind of assistance we are giving municipalities relative to their social assistance funding. I am indeed happy to have the implementation report back on track in my hands, and we are studying it, and more long-term solutions will be implemented just as soon as we have made our collective decision.

#### WOMEN IN FILMS

**Mr Jackson:** I have a question for the Attorney General. The Attorney General will know that on Monday of this week my colleague the member for Leeds-Grenville and I raised a question in the House with respect to the proliferation of adult-only explicit sex video shops in this province. The minister has had two full days plus a cabinet meeting to have this matter considered, yet we have had no statement from the minister.

I would like to advise the minister that another store has opened up in my community in Burlington this week. The minister would be aware of Project P, the task force on pornography. He would be aware that his predecessor Roy McMurtry in 1975 began that, and that there is a strong working relationship between the Attorney General's ministry and the police forces concerned about pornography in this province.

Knowing that the Attorney General's office, through the crown attorneys, works closely with the police in the laying of charges, would the minister please explain to this House why, after these shops have been open for five months, he has not made any statement or is doing nothing? What is he actually doing about this problem?

1450

**Hon Mr Hampton:** There seems to be some confusion in the member's mind about exactly how the legal process works in the province of Ontario. I do not tell the police to lay charges, and I do not tell police to close down establishments. The police have the Criminal Code. The Criminal Code is the law in Ontario with respect to these matters concerning obscenity. The police consult with senior crown law officers from time to time for guidance in terms of how the obscenity provisions of the Criminal Code will be interpreted. As the member knows, there have been some recent court cases in this area. There are some ongoing court cases. The police have consulted with



senior criminal law advisers and, based upon the advice they have received, will enforce the law accordingly.

**Mr Jackson:** The minister persists in maintaining an arm's-length relationship, yet in fact the terms of reference for Project P are very clear. I might also advise the minister that the very chair of the Ontario Film Review Board, Bob Payne, is on record as saying that this is a situation which is a political problem and that it needs to be addressed. He is referring, of course, to the minister's cabinet and to his government.

I am asking the minister quite frankly: Given the fact that the police lay charges but crown attorneys prosecute under the law, section 163 of the Criminal Code, and given that the women in his cabinet have spoken out and are on record that the exploitation of women in these explicit X-rated videos is wrong, when are we going to hear something from him as a member of the cabinet with respect to this issue in the laying of charges under section 163 of the Criminal Code? When are we going to get some action from him?

**Hon Mr Hampton:** I just want to repeat my earlier comment. I would suggest that the honourable member perhaps sit down and consult a book on criminal procedure, because I do not give the police orders.

**Mr Jackson:** I did not say that.

**Hon Mr Hampton:** But the member implies that, and he implies it very directly. To be very clear, in the province of Ontario the police have the ultimate discretion in laying of charges. I think the police—

**Mr Jackson:** Talk about the crown attorneys.

**Hon Mr Hampton:** I am attempting to address the member's question. Obviously, he does not want an answer. I think no one in Ontario would want the police directed as to who they should lay charges against and who they should not.

Turning to the second part of the member's question, I am not aware at this point that crown attorneys have withdrawn any charges of obscenity laid by the police within the last six months. If the member is aware of any, I would ask him to bring them to my attention.

#### COMMERCIAL FISHING ON LAKE SUPERIOR

**Mr Martin:** My question this afternoon is for the Minister of Natural Resources. I understand there has been progress in negotiating with the Batchewana first nation in terms of its right to harvest fish commercially on Lake Superior. While I commend the minister for the progress in this area, I would like to know what provision has been made to ensure consultation with non-native stakeholders in the community.

**Hon Mr Wildman:** I know of the member's interest in the area, particularly as a large portion of the Batchewana first nation reserve is in his riding. He is aware that this is a dispute that has been ongoing since 1985 at least. This is part of our commitment to negotiate land claims and to negotiate self-government with aboriginal peoples in this province. The negotiations we have had with the aboriginal people of the Batchewana first nation will be

carried out in the most open way possible, with as wide consultation as possible.

To date we are happy to say that we have been in touch with the Sault and District Anglers Association, the East Lake Superior Commercial Fishermen's Association, the Batchewana Tourist Outfitters Association, the zone representative for the Ontario Federation of Anglers and Hunters, as well as the fact that my deputy minister, I understand, has been in touch with Rick Morgan, the executive director for the provincial Ontario Federation of Anglers and Hunters. We continue to negotiate with the band and consult with all other interested groups.

**Mr Martin:** In light of the fact that this has been an ongoing problem in the area and a great concern to a lot of people, is there a timetable in place for a successful conclusion?

**Hon Mr Wildman:** I must say that at this point I am unable to provide the member with a deadline by which we expect to have an agreement, but I can say that the district manager, Ron Lessard, is at this moment, I understand, in discussions with the fishermen of the Batchewana first nation to arrange a negotiating meeting next week. We are very encouraged by the approach taken by the chief and the council of the Batchewana first nation in that they have agreed that any agreements will be binding on all members of the first nations involved in commercial fishing, and that they will take into account conservation, the protection of the fishery as well as allocation of commercial fisheries. I am very encouraged, and we are looking forward to the final resolution of this long-standing grievance with the Batchewana first nation.

#### ASSISTANCE TO FARMERS

**Mr Bradley:** I have a question for the Minister of Agriculture and Food. It has been reported in the *St Catharines Standard*, an impeccable source, under the headline "Niagara Threatens to Ease Restraints on Development" that unless the Ontario government provides new financial aid for farmers in the near future, the regional municipality of Niagara may start dismantling some of the long-term development bans that have prohibited stretches of agricultural land across northern Niagara from being used for other purposes.

In view of the fact that some of the best tender fruit land in all of Canada exists in this particular belt, and in view of the fact that the climatic conditions are excellent for the growing of tender fruit, why have the minister of agriculture and his many colleagues, who had all of the answers in opposition and all of the answers when he was going across the province last summer, delayed, and why are they now delaying and dithering and squabbling instead of implementing programs designed to save the farmers who are in trouble now and thereby save the agricultural land in the Niagara Peninsula?

**Hon Mr Buchanan:** Let me assure the member of a couple of things. First, this government feels very strongly about preserving agricultural farm land and we will make moves to ensure that that is the case. On his question of providing relief for farmers, we established a committee in the second week I was in this position, which went across



the province and did the consultation. That report was released two weeks ago, and my ministry officials are currently, at this very moment, working on programs I hope to announce in the very near future. We have followed the course of action this government believes in, which is to consult, put things together, announce and be active, and we intend to do that in the very near future.

**Mr Bradley:** The problems have been known for a very long time in the Niagara Peninsula and across this province, the problems being encountered by farmers, particularly as we get into this growing season, where farmers are virtually losing their farms, they are going bankrupt, they are being really compelled to sell off their land. The minister may remember, as I know the Speaker would remember, being in the Legislature in those days, when the former leader of the New Democratic Party, Stephen Lewis, used to stand and talk about how much agricultural land was being lost.

What I am asking the minister is why he has not taken action already. He has been in power for half a year, which is a considerable amount of time. We are talking about a new growing season. He had all the answers before. Why has he not already taken action to save the farm land, to get the farmers on side with those of us who are attempting to save agricultural land in the area and have been for some period of time? They were on our side back in 1976. They are not now, because they are not getting assistance from the government. Is the minister prepared to take that action, or is it another case, as the member for Welland-Thorold appropriately said, of "That was then and this is now"?

1500

**Hon Mr Buchanan:** That is a new line. I would suggest to the member that the problem is much more complex than just providing interest relief or providing money for farmers, which we intend to do. There are a number of other issues around the tender fruit industry that need to be addressed. Part of that is tied in with free trade, part of that is tied in with the interest rates, the federal government—there are a number of issues that we intend to address.

Another issue that has been raised in this House the last couple of days, cross-border shopping, is also an issue for the tender fruit industry and for the farming industry down in the Niagara area. That is another issue this government intends to act on and we will be moving to assist those farmers, because we know that, if the farmers get a decent price for the products they produce, they will not be interested in selling their farm land to developers, and that is the kind of policy we intend to bring forward.

#### GASOLINE PRICES

**Mr Sterling:** I want to ask the Deputy Premier a question because I think that this may relate more to fiscal policy and to the Premier's responsibility, and that is with regard to the gasoline prices in eastern Ontario. I have watched the gas prices, both here in the Toronto area and in eastern Ontario, for the last month or so. In eastern Ontario, gas prices rose to over 65 cents per litre, while on the other extreme, I have seen gas prices as low as 42.5 cents per litre here in the Toronto area.

Given that it costs probably less than 1 cent a litre to transport a litre of gas from Toronto to the Ottawa area, there really is no apparent reason for these wide discrepancies. While that discrepancy has changed from anywhere up to 15 cents per litre of gas—the people in eastern Ontario paying the greater amount—down to maybe 5, 6, 7 cents per litre for gas, there still seems to be no apparent reason why the people of eastern Ontario are disadvantaged in buying a litre of gas over the people in central Ontario.

In the past government and the two previous governments, I have heard the Deputy Premier's party demand of other governments to stop the gouging in eastern Ontario and other parts of this province. What is his government going to do to stop the gouging of eastern Ontario consumers paying too much for their gasoline?

**Hon Mr Laughren:** It is good to have the question from one of the leading members of the PC caucus and to have him acknowledge the contradictions in the marketplace, because I think that bedevils us on this side as well. One of the problems that I have been fighting about personally as a member from northern Ontario is that there seems to be no logic in the pricing whatsoever. It is the same in northern Ontario as it is in eastern Ontario. There are greater differences between communities in the north from time to time than there are between communities in the north and communities in the south, and I suspect that is the same in eastern Ontario as well.

It has been an extremely difficult issue with which we have been trying to grapple, but I think the member opposite knows, because I can recall a number of years ago when a member of his caucus, when the conservatives were in government, moved a private member's bill to control the price of gasoline in northern Ontario and his caucus voted against that member from northern Ontario. I recall that and I know that the member opposite appreciates that it is a very difficult problem and a very complex one, but I can give the member the assurance that it is a problem on which we are working very hard.

#### MEMBERS' SERVICES

**Mr Elston:** On a point of privilege, Mr Speaker: It deals with the job of the members of the Legislative Assembly. It has come to our attention, as members of the Legislative Assembly, that the Registrar General—and I have written a letter to our friend the Minister of Consumer and Commercial Relations—will no longer be able to process our applications received from our constituents for birth certificates and certified copies of birth records.

The new regime means that staff from our offices must line up, and in the last couple of days it has taken some of our Liberal caucus staff over two hours to process their work on behalf of me as a member and on behalf of several other fellow colleagues. I wish the Speaker would check into whether or not our role as members is being affected. I suspect it is not only Liberals but also people from the Tories and the New Democratic Party. This is not a partisan issue.

If the Speaker could check to find out if there can be direction from the Legislative Assembly to restore the ability



of members to quickly access the Registrar General's counter so that we can do the work for those areas of the province that are not served any other way than through their members' offices, it is not only on behalf of my caucus but I believe rightfully on behalf of all three caucuses that I ask the Speaker's efforts to effect a successful result. Otherwise we will have to ask for more staff to line up; there is no other way.

**The Speaker:** The experienced member no doubt knows that it is not a matter of privilege, but it certainly is a complaint which may very well, as we speak, be heard by the Registrar General and hopefully it will be acted upon.

**Mr Elston:** I am very sorry to have to rise again, but I do believe, and I see that the minister probably will rise to speak to us on it, that it really does affect us, because as we consider our budget, if we are going to have to have our staff lining up on a daily or semidaily basis for two hours at a time, then government policy—

**The Speaker:** Will the member take his seat, please? Yes, it is definitely a complaint and I realize there are a number of complaints about administrative procedures. It is not a point of privilege for the House to consider.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Sutherland from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr38, An Act respecting the Town of Markham.

Your committee begs to report the following bill as amended:

Bill Pr29, An Act respecting the City of London.

Your committee recommends that Bill Pr52, An Act respecting the City of York, be not reported.

Motion agreed to.

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented the committee's fifth report.

Pursuant to standing order 104(g)(14) the report was deemed to be adopted by the House.

#### INTRODUCTION OF BILL

##### ARBITRATION ACT, 1991 LOI DE 1991 SUR L'ARBITRAGE

Mr Hampton moved first reading of Bill 42, An Act to revise the Arbitrations Act.

M. Hampton propose la première lecture du projet de loi 42, Loi portant révision de la Loi sur l'arbitrage.

Motion agreed to.

La motion est adoptée.

1510

**Hon Mr Hampton:** As I indicated in my statement earlier, the bill will replace the Arbitrations Act. It is based on the uniform model law on international commercial arbitration. It resembles the Uniform Arbitration Act recently adopted by the Uniform Law Conference of Canada. The guiding principles of the new Arbitration Act are that the parties to a valid arbitration agreement should abide by their agreements, that they should be free to design the process for their own arbitration as they see fit within the limits of overall fairness, that opportunities for delay should be minimized, and finally that awards made in arbitrations should be readily enforceable and should be reviewable by the courts only for specific defects.

#### ORDERS OF THE DAY

##### INTERIM REPORT, SELECT COMMITTEE ON ONTARIO IN CONFEDERATION

##### RAPPORT PROVISOIRE DU COMITÉ SPÉCIAL SUR LE RÔLE DE L'ONTARIO AU SEIN DE LA CONFÉDÉRATION

Resuming consideration of the interim report of the select committee on Ontario in Confederation.

Suite de l'examen du rapport provisoire du comité spécial sur le rôle de l'Ontario au sein de la Confédération.

**Hon Miss Martel:** Again, there has been consent among the three parties to share the time.

**Hon Mr Marchese:** I welcome the opportunity to address this Legislature, especially on an issue so central to us, the future of our country.

I believe the committee has identified the very substantive issues facing our country and our province. The interim report from the select committee on Ontario in Confederation takes the pulse of Ontarians.

As we engage in this process of major changes where we name our values, define our national institutions, debate legislative powers, it is critical that we hear from all of us and that we are all involved in every facet of decision-making, including these current debates.

The report from the select committee confirms many of the positive values that make us stronger and identifies issues for all of us to consider as we together shape the vision of our future.

The people of Ontario told the committee that:

On doit reconnaître la multiplicité des races, cultures et langues qui contribuent à faire le Canada. Non seulement doit-on reconnaître celles-ci, mais on doit les nourrir, les entretenir et les intensifier.

We must ensure equal access, equal opportunity and an equal voice for all of us. Immigrants clearly expressed feelings of not wanting to have secondary citizenship. Women, aboriginal people, disabled persons and racial, cultural and linguistic communities must be valued, included and integrated into every aspect of our society. This means the proactive removal of the barriers that traditionally marginalize them.

The separation of Quebec would pose significant consequences for both Quebec and Ontario, and indeed all of Canada. But to ensure that Quebec stays in Confederation, we need change. We are at a fundamental crossroads in



examining the nature of federal-provincial relations and on directing our constitutional future. We have to seize this opportunity collectively.

I would like to speak to three major issues that are very close to me, and they are language, culture and multiculturalism. On language:

L'histoire de notre pays et notre réalité constitutionnelle donne aux Franco-Ontariens le droit d'avoir des services en français, le droit d'utiliser leur langue et le droit de fonctionner en société comme Franco-Ontariens. On doit honorer leurs droits et respecter leurs demandes.

The concept of one country, one language will not make us strong. It is not a vision we want to carry into the future. We need a country that respects and values diversity, including the protection of minority language rights.

On culture: The report did not touch on this issue, but issues of cultural sovereignty are familiar to most Canadians because of our proximity to the United States. The constant deluge of US books, magazines, feature films, music, television news, sports and drama has made us aware of the importance of protecting and nurturing our cultural identity.

We need therefore a national vision, national standards and measures that will protect and preserve our distinct, strong but fragile, and diverse Canadian culture. In light of free trade and in light of the negotiations with Mexico, this issue is ever more urgent and cries out for a national response.

Our culture is rich. Aboriginal people, French and English and the stream of people from all over the world that make up this country and this province have made it so. We must do everything possible to preserve, value, enhance and save it. Culture must flourish within the regions and within communities. We must respect these differences, for in our differences we will find unity. So there is a federal role for keeping this complex cultural fibre together. This is a matter, certainly, for further debate with the people of Ontario and for this government.

Our culture needs to be inclusive. Aboriginal people, cultural and racial groups, women and francophones must be included in all of the decision-making, in all of our institutions and in every position of responsibility.

That leads me to the issue of multiculturalism. For too long, multiculturalism has meant celebrating our different songs, dances and foods. This simply is not enough. Residents of my riding have told me they want more. They want access to opportunities, access to services. We must listen and respect these demands. We must strive to meet these demands. Tolerance, understanding and respect are basic values to inform a revised Canada. This is what the members of the public have stated over and over again before the subcommittee. We all need to listen to what many of the people are telling us.

I want to compliment the Chair and the committee on the work they have done to date. I look forward to taking part in a further debate as the committee looks towards proposals as it continues its dialogue with the people of Ontario.

**The Deputy Speaker:** If you recall, yesterday the member for Parkdale addressed this House for 28 seconds

only. He asked me if he could continue his speech today. If I follow the procedure, he cannot. On the other hand, I believe we did allow another member to continue his speech, so if there is unanimous consent, I will allow the member.

Agreed to.

**Mr Ruprecht:** I want to thank the members for the unanimous consent so I could conclude my remarks, starting in 28 seconds.

I am delighted to join the honourable members who have already expressed very eloquently what we need to do in this country in order to be continuing as Canadians.

We have recently seen headlines and they said, "Canada at the Crossroads." I remember in Sudbury 14 years ago the same headlines which we used when I was teaching at Laurentian University. The conclusion that we came to—and I remember distinctly because I was Chairman at that time of the Canada at the Crossroads Conference—was that without Quebec, there would be no way that this country could possibly remain together and stay together. Without Quebec, there could not be a Canada.

It is simple to understand for most of us. The normal communication lines do not run east and west from sea to sea, from Newfoundland to BC. The communication lines and economic lines actually run north and south, so that it would be a lot easier for people to purchase refrigerators from Seattle, Washington or North Dakota or Montana or even Chicago, and they would be a lot cheaper, if we did not have our communication lines and economic lines established across this country.

I think that conclusion will be at the centre of our discussion, that without Quebec today, we cannot remain as Canadians. The centrifugal forces that are operating economically will really bust us apart, and I am not surprised because the majority of our population really exists within a band across North America from sea to sea, 100 miles north of the United States border. That is all there is in terms of the majority of the population in Canada. So we have to do what we can to establish these links across the country to maintain our Canadian nationhood.

There were those at that conference who said: "Let's go ahead and punish Quebec. If Quebec wants to secede, let them. They will have to pay a heavy price." What is that price? The voices said they would not be competitive economically: "How can Quebec possibly compete in the North American market or world market alone with its population base? They cannot maintain their culture because the onslaught of the cultural attractiveness of the United States and the rest of the English-speaking world surrounding them would simply be strong enough for them not to maintain their cultural integrity."

1520

I remind the members that third, we must consider what we would do as Canadians if we split up and become appendages of the United States. Maybe Ontario would be the 51st state and Alberta the 52nd and Manitoba the 53rd, and so on and so forth. We as Canadians must remember what it is like to go to the directors in the boardrooms of multinational corporations across the United States, in



Chicago, Detroit, Washington and Boston, and argue for Canadian content. We know what it is like when we look at our economic wellbeing. We must come to one conclusion, that even here, in this country, we are not tough enough or strong enough to be the masters of our own destiny because, economically speaking, we are not the masters in our own house. How can we possibly expect to maintain a strong Canada when economically we are not maintaining the toughness that it takes for a strong Canadian content?

Have we forgotten what it is like, that we should stay together? Have we forgotten what it means to be Canadians? What does it mean to be a Canadian? Let's draw some comparisons and analogies.

One I can think of obviously is that we are more law-abiding. Let's look at the figures in the United States. What do we see? It becomes crystal clear to Canadians that yes, we are better off in terms of our own security. We have a parliamentary tradition as opposed to a congressional system. Yes, we are less commercially inclined. Even today we are still talking about Sunday shopping. If that is not a prime indicator of less commercialism, then I do not know what possibly could be.

Of course, when we ask anyone across the globe, when we say we are from Canada, they think immediately that we should be bilingual. They say: "Do you speak French? Do you have any friends in Quebec? What is Canada about?" The strong francophone fact in this country makes for part of our own identity already.

Of course, what is just as important, as we heard earlier so many speakers indicate, is that yes, we are a multicultural fact. The reason we are multicultural and the reason there are thousands of people wanting to come into this country is because we have freedom, we have economic opportunity and we have so many items and things that people are envious of. Many of them are standing at the border and are knocking and are saying: "I want to come into Canada. I want to be a Canadian." And what are we today? We are saying Canadian nationhood really means—it is questionable. Yet we have the whole world knocking on our doors and wanting to come in here. I say to the assembled members that yes, we have got to take it easy. If there is but one chance that we would be able to maintain the country, if there is but one chance that somehow we do not talk about a totally independent, sovereign Quebec, I would say let's take that chance. It is not a chance in a million. It is a chance of reasonable people.

We say to the rest of Canada that yes, in Ontario, we are very reasonable people. We do not go in right away and say to Quebec, "No, we want to punish you." We have seen the pamphlets that come across our desks. I know the members have had them. I know I have had them. They say: "If Quebec wants to be sovereign, let's cut them off. Let's cut them off economically. Let's cut them off militarily. Let's cut them off in terms of land. Let's take away Labrador. Let's take away communication corridors. We will cut them down." My friends, it is too early to make those kind of decisions. It is too early to want to come to some kind of a confrontational program with the province

of Quebec. We should not jump the gun and talk about cutoffs.

Just let me add in conclusion that we have certain choices to make very soon. Some are talking about 20 months, others are talking about perhaps 36 months, and then we would have to make a decision because we were forced into it. No matter how easy we want to go, no matter how slow and cautious we would want our approach to be, we are being almost forced into this.

If we do it, we have some considerations to make. On the continuum, there is a totally independent, sovereign state of Quebec. On the other hand there would be a maintenance of some form of co-operative federalism. In between on this continuum are various options that we, the Canadian people, will have to choose from.

I think that we want to be optimists. I think there is still time to decide what kind of agreement we want to hammer out. Even if it may be a loose Confederation with more powers to the provinces and Quebec, and even if it may mean in the end that the courts will have to decide which of these powers will go towards a greater federal policy and which would go closer to a provincial policy, I think that may be in the end one of our saving graces.

In the United States, we recognize that the Confederation that was established in the 18th century was indeed very loose. But the powers that have shifted from the states and their rights to the federal government have been interpreted by the courts. Time after time, decision after decision was made to shift those powers from the provinces, ie, from the states, on to the federal government. We have hope. I know that the members of the Constitution committee who have gone across the province and have heard from so many individuals will most likely agree that here we have considerations to make for a unified Canada, a new structure. I would think that all of us would agree: Let's take our time. Let's not be rushing into an immediate decision. I think that the people of Quebec, with us, will also in the future agree that yes, we want to be together in the bosom of one state called Canada.

**Mrs Cunningham:** I would like to begin my remarks by commending the committee and the many members of this Legislative Assembly who took part in a very public and open process as they looked at our Canada and our province.

I would be amiss if I did not say that I was happy that it did take place and I was pleased with the report. There are always some reasons for misgivings, and I suppose that my greatest criticism would be—and others have said the same thing—that during these public hearings I think we tried to do too much. I think we tried to hear too many people. I think that in many instances we left out the voice of young people and certainly of school students. I think we learned something from that process, and we must never let it happen again.

Given the process as it did take place across this province, I would only say that in fact I think the report is reflective of what the committee heard. I was particularly pleased that the residents of Ontario who came before this committee came with open minds and a sincere desire to give good information and their views from their hearts as



well as their heads to the committee. I think the most important part of this report relates to Quebec's future in Canada, and I was proud to hear that the submission stated that:

"There is a sincere desire that Quebec should remain within Canada. It is thus very important that efforts be made to try to reach an accommodation with Quebec. There are, however, differing views as to the nature of the accommodation that should be sought."

1530

This went on to say that "Quebec is a crucial part of the Canadian identity," that "Quebec is a distinctive community within the Canadian federation" and that "The rejection of the Meech Lake accord should not be interpreted as a rejection of Quebec. Many factors were at play, including the process by which the accord was negotiated."

I suppose what pleased me the most about the conclusions of the report, not only as it related to Quebec's future in Canada but as it related to recommendations around the involvement of the aboriginal peoples and the process, as it related to the recommendation with regard to women being a very important part of the process and even as it clearly delineated the problem that we all face—the observations of people who live in Ontario who call themselves Canadians first, their observations are not new.

I would like to take just a couple of minutes—and I know that is impossible, but we will give it a go—to talk about what has happened before. As a matter of fact, in this province members of this Legislative Assembly may have been very much a part of a very important conference that was called in 1967. I am reading now from the debates of 18 May 1967 when the then Premier, John Robarts, stood to address this very assembly on the occasion of Canada's 100th birthday. He said, "Mr Speaker, I am very pleased to initiate the debate and discussion on the resolution to hold a Confederation of Tomorrow Conference." Many of my colleagues have already related to this, as did the committee in its travels.

"I would like to open with a few remarks which fall into perhaps four sections. The first portion will deal with the origins of the idea; second, the justification for holding such a conference; third, the subject matter that might be discussed at such a conference; and, fourth, its form and structure."

I would direct the Chairman of our committee to take a look at those Hansards. I think he may get some very good ideas as to where this government, with all of our assistance, can move next.

Mr Robarts, in this very same debate, talked about his reasons for holding such a conference and his leadership, being the Premier of Ontario at the time, in getting this discussion together. He said that:

"A conference of this type can be of double value. First, it allows the federal and the provincial governments to come together to initiate discussion among themselves concerning the fundamental issues that each government must face, because we must face these issues, we cannot avoid them. Such an exercise will be of value to all the governments involved in that it will allow them to gain a wider understanding of each other's difficulties."

I believe the difference in those times was rather significant. I think that today in Ontario and in Canada we are looking at a very different economic picture, one that is of tremendous concern. In 1967-68 the federal debt was some \$17.6 billion and now all of us and our children face the tremendous challenge of looking at a debt in this country that is over \$380 billion. Provincially, at that time we had a debt in Canada on our 100th birthday in the province of Ontario of just \$1.4 billion and we are looking at a debt far beyond that now, certainly upwards of some \$30 billion. So our economic problems have become rather significant, but I will say that in spite of them, we have been very open and very positive about revisiting our problems with our federal counterpart and certainly with the other provinces. I think that our province and our Premier should be showing the leadership in looking at the next stage very, very carefully.

My criticism would be that we cannot in fact move about the province in the same manner in the second stage, but we perhaps could use a process that was used some 10 years after 1967, in 1978, which I will come to. I did want to say that I think the great failure in looking at the problems in Canada in the last two or three years and solving the Quebec situation, where I think Ontarians and Canadians want Quebecers very much to be a part of our country as they are to stay that way—it is not new, but I think the process was one that we should all be very much ashamed of, and I hope that this time it will be open, it will be one that people can relate to and one that is carefully planned. We have a chance to show the leadership here.

I would like to move on from the council that we talked about with Premier Robarts just to show members that the Confederation of Tomorrow Conference, which took place from 27 November to 30 November 1967, contained some five discussion papers. They talked about the goals of Canadians—these were all the premiers and representatives of the provinces and the federal government—the role of the English and French languages, ways in which the federal system could be improved, ways in which provincial systems could be improved, the machinery and structure of federal-provincial and interprovincial relationships. I say to all of us in this House, what is new? We must revisit the very structure we are built on and make it work in these times, which are somewhat different, with real economic challenges. We must make it work in a different way.

It was revisited again in 1979, by the Council for Canadian Unity, which was a council of independent citizens, businesses, labour unions, educators, people who were involved in their communities across this province of Ontario. I would direct the chairman of the committee, the member for Dovercourt, to take a look at the Outlook Ontario report in 1979, which was sponsored by the Council for Canadian Unity where, again, it was looking at the exact same issues. They wanted to ask, "What can politicians, the media and others do to further encourage positive attitudes on the part of Canadians towards each other?" These were their questions:

"What is the extent of the constitutional changes that Canadians outside Quebec will be prepared to accept in



order to maintain the integrity of Canada? How far are English-speaking Canadians prepared to go in accepting basic Canadian duality? To what extent do Ontarians represent most other non-Quebeckers in their defence of the prerogatives of the federal government and their distrust of further decentralization? Do Canadians in general really believe that we are facing a crisis? And is the stress by the task force on Canadian unity on the three principles of regionalism, duality and power-sharing realistic and helpful and, if so, what should we do to implement them? If not, what should we put in their place?"

All of these questions were responded to in some fashion during the deliberations. I think the interesting part of the deliberations was that meetings were held over a three-to-six-month period of time that involved the young people of this province in six different parts of Ontario. They themselves came to the representatives who took the leadership role of their community, with politicians of course being invited as observers, both federal and provincial, and they told us what they wanted next, and it worked. We influenced Quebec. We had an influence on their vote and they chose to stay within our Confederation and we are all very happy for that. Right now, we have to hope that we have not alienated them enough that they would take another view and take another decision.

I think my challenge to the committee would be to get working quickly with a very good process so that people feel involved, because my understanding and my great respect is for the public as it influences us and advise us in our very responsible position. But it must be meaningful, they must have time and we have to delegate some responsibility to them for their advising us.

I will close today, having been given this tremendous opportunity to speak to Canada, to the role that Ontario can play, with the challenge that I think all members of this Legislative Assembly will want to be part of bringing to the Chairman of the committee and the committee and the government the expectations and the beliefs of their own communities as we try together to influence, of course, the province of Quebec but, more important, the federal government and all the other provinces as to the importance of finding a way.

I thank members for this opportunity to speak to finding a way to support this beautiful country, this wonderful country that has served all of us so well and that we now have the opportunity and the responsibility to serve in return.

1540

**Hon Mr Wildman:** I too am thankful for the opportunity to participate in this debate in the House today.

I want first to congratulate the Chair and the members of the committee from all three parties who worked so hard to reach a unanimous decision. I know how difficult it is at times to come to a unanimous decision when we are all of different partisan stripes. I think that in doing that the members took their responsibilities very seriously, the responsibilities not only to represent their own constituencies, but to represent the whole province of Ontario, to exercise their judgement in the best interests of not only their constituents but all of the people of the province, and

indeed in this case the rest of the country, because I believe that it is the responsibility of all of us as members of this assembly to represent Ontario to the rest of this country as well.

I note in the interim report that the committee recognizes that we have a great deal to celebrate in this country. We have enormous resource wealth. We all share the responsibility to manage those resources responsibly and to protect the environment. As minister responsible for native affairs, I am gratified that the committee heard many non-native witnesses who indicated that they believe that aboriginals could set an example to all of us in this province on how to properly care for our resources and to respect the environment.

The committee also pointed to the tremendous diversity of cultures and peoples we have in Ontario, and indeed in Canada, and I welcome the committee's commitment to further recognition of the multicultural and multiracial diversity of this province and the fact that the committee felt that the majority of the people who spoke to the committee during its hearings talked of tolerance as one of the major values that united Canadians. I am gratified by that.

I think we would all agree, though, that Canada, our country, is more than the sum of its resources and its people, really more than the sum of its parts. Rather Canada is a united experience, an experience of struggling against elements that are harsh at times and difficult, an experience to build communities and a nation, a shared experience, one that really tells us that Canada is more than the sum of its parts, that Canada is a concept, an idea, and one that is worth struggling for, and that we, as descendants of the pioneers and the aboriginal people, owe it to those who have endured those hardships of the past to do as much as we can, not only for ourselves but for future generations, to strive and maintain and strengthen our nation.

The committee also recognized that we share a past that has included inequities and that we share a responsibility to recognize those inequities and work to rectify them. I am gratified that the committee unanimously said that we must respond to the demand for a greater voice by the aboriginal peoples, as well as other minorities in this country. The committee indicated that this requires proactive measures by governments, and the wide consensus that the committee recognized for the need for justice for aboriginal peoples, I say, is a great step forward in the history of our country.

Obviously, as the minister responsible for native affairs in this government, I am encouraged by the committee's conclusion that the government of Ontario has a mandate to negotiate aboriginal self-government and also that aboriginals must be involved in constitutional discussions, because obviously the Constitution must be inclusive, not exclusive.

I just want to conclude by saying that the rejection of the Meech Lake accord, which initially involved aboriginals such as Elijah Harper, must not be seen by anyone, aboriginal or non-native, as a rejection of the people of Quebec or the aspirations of Quebeckers. Rather, I believe it was a rejection of the process. It was a rejection of the fact that aboriginal people were not included, that the



Meech Lake accord was not inclusive, as I said constitutions must be. However, it cannot be seen, and would be unfairly characterized, as a rejection of the distinctiveness of Quebec in Canada.

I support the committee's conclusions that we must do all we can to ensure proper services for Franco-Ontarians in this province at the provincial level, and I am happy that it believes that the majority of Canadians share the vision of this country that respects and values the diversity that we have in language, culture and race in this country.

But I recognize, finally, that the committee is right when it says that there is much work to be done. We have to deal with the question of federal-provincial powers, the reform of our institutions. How do we deal with Quebec and the view in Quebec that it is dealing only with the federal government and not other provinces? How do we involve all the provinces and territories and regions and peoples of this country in the process?

I believe that we can involve all Canadians—aboriginal people, women, minorities, disabled people—in a process that will arrive at a final decision as to the future of this nation.

I will just close by quoting from a very good friend of mine, Chief Patrick Madahbee of the Sucker Creek Reserve, when he said, in dealing with the role of aboriginal people, "There are some people who are reluctant to change and fearful of change, but I don't think there are too many who believe that the status quo is something they can continue with." I hope that we all keep that in mind as we strive for unity in diversity in our country.

**Mr Miqlash:** I would just like to say first of all that I am very pleased to be able to rise to speak on this most important issue today. I would also like to congratulate the committee on its hard work, especially the member for Dovercourt, who chaired the committee.

As most members will know, the committee started in Kenora, and one of the complaints that came to the committee off the bat was that they had very little time to prepare. But I think this is something the committee saw as being a very important factor on listening to the many briefs that were given to it in Kenora, Dryden and Sioux Lookout, the fact that people did speak from the heart on this issue.

I must also say that I was privileged to be able to join the committee during its visit to the area and listen to the views as they came from the people throughout the riding.

I would like to quote from the *Globe and Mail*, which stated: "Many of the statements have gone far beyond the issues the 12-member committee is supposed to be addressing, that of how to rewrite the Constitution and Quebec's future relationship with the rest of Canada. Instead, people have talked about the need to solve aboriginal problems."

Very dear to my heart and very close to me are the problems of the aboriginal people. As members would know, a good portion of my riding is made up of aboriginal people, and I think that dealing with the issues surrounding the place of aboriginal people in Canada, in the Constitution, is very important. I would just like to stress

that I feel that this is as important as Quebec's place within Canada.

Mr Speaker, as you know, my time has been limited, so with that, I would just like to end with a quote that came from somebody who did a presentation in Thunder Bay:

"We must walk a mile in the other person's mocassins. I mean that regarding the native people, but I also mean it regarding those who live in Quebec, the east and west. It is time to start considering the common good."

With that, I would like to end in this debate.

1550

**Mr Harris:** Let me say, at the outset, a couple of things. First of all, the biggest mistake, in my view, and clearly it has come home to roost, was the fact that we opted to bring this Constitution home to Canada incomplete, that the process that was not agreed to at that time was a flawed process, that the process that was followed in Meech Lake followed from that. So in my criticisms of the process and those involved in it over the past eight years, I recognize that it was not their process. They were trying to complete something that had never been completed.

That led to the Quebec round and we got off on so many tangents in the Quebec round that not only were we going to solve that but, because of some mistaken impressions that a lot of people, were left with, somehow or other this Constitution was going to solve all the problems that everybody had all across this country. That, in my view, is one of the problems that we have. That is not the purpose of the Constitution.

Let me also say that if Canada's fate was left to politicians alone, then I would fear very much for this nation's continued existence. If we have learned anything from these trials and tribulations, it is that, when challenged, Canadians fight back. When challenged by the constitutional dictates of 11 first ministers, the wheeling and dealing behind closed doors, the public fought back and trashed that political agenda, trashed that process. They served notice that never again will Canadians tolerate the needs of 11 politicians, as they saw it, being substituted for their own. So I take some comfort in the fact that the people have taken the constitutional agenda away, to a certain extent, from the politicians, from us.

I am sure no one takes any comfort from the damage that has been done. We have come dangerously close to jeopardizing, and still are, something that is very precious to all of us, and that is our sense of nationhood.

Some have argued that it is our Constitution that defines this sense of nationhood. To some extent, I agree—to some extent. A Constitution can indeed define the values and the principles that unite us as Canadians. It can properly define the division of powers or the responsibilities of states in the various levels of government. But there are some things that are impossible to define, and some that ought not to be defined when it comes to intangibles such as nationhood, particularly when we have a process in place that says everybody has to agree to these or we do not have a document, we do not have a Constitution.

In arbitrarily trying to define who or what we are, we also run the risk of trying to be all things to all people or,



worse, of losing sight of those things that matter most to people. Just like government itself, a Constitution cannot be all things to all people, nor is it necessarily flawed or impossible to function or impossible to have a nation if it does not list every special interest group that everybody has or every special interest that comes forward across this country.

Somehow, for example, Great Britain has managed to survive for more than 1,000 years. I suggest to members that most of us would agree that they function, that they have a sense of nation, of what it means to be British or from England, and they do not have a written Constitution at all. They do not have one at all. Yet for some reason or other, the politicians have raised this to the extent that if we do not have it all, if we do not all agree, if we do not have everything defined and written on paper, somehow or other we are less of a nation or we cannot function. I would like to put what I have to say in that perspective as well.

I am also very concerned about the tendency on the part of politicians to lose sight of those things that matter most to people. I recall the dire warnings associated with some of the last constitutional talks. I have not heard one person imperilled by our failure to resolve the Senate dispute. I have not heard one person. Perhaps there has been a person in western Canada come before the government on Capital Hill or their Legislature and say: "I can't function in this country. I can't be a Canadian because you didn't resolve the Senate dispute." But I know thousands who are in need of a job.

I have not seen one demonstration on the steps of Queen's Park over judicial appointments, not one. I have not had a letter, I have not had a phone call on the appointment of judges to the Supreme Court, not one. Yet somehow or other, if you go back into that debate, this country could not function with this proposal or that proposal as to how the judges were going to be appointed. But I have seen dozens across Ontario in support of safety on our streets, of drug-free neighbourhoods, of schools.

On language, the one issue that has sparked heated debate that I have heard a lot about, few politicians even admit to a problem, let alone are they willing to discuss or define this difficulty over language that I believe is at the fundamental root of our problem in not being able to agree.

So I say to members here and elsewhere, we can talk all we want about constitutional specifics, but for most people it is inside baseball. They do not understand what you are talking about. They do not understand the implications of it. It does not affect how they feel about the country. They are Canadian. It does not affect their family. It does not affect even whether they can shop on Sunday or not. There are all these other vehicles that affect that. So I say to members, not that the specifics are not important, they are, but I think Canadians are tired of the political bickering over details at the expense of what is the big picture.

What we have to determine, I believe, is the purpose of the Constitution. I do not believe it should be driven by the need to broker special interests. I disagree with a process

where everybody comes with a shopping list and horse trades the shopping list off. "This is my price to agree to your deal," and what not. Actually, although I am very critical of the process, the one thing I do congratulate Ontario for is that it has not traditionally approached constitutional discussions that way. Other provinces have and I condemn that.

What it should be then, in my view, is a statement of values and principles upon which people agree that the affairs of state should be administered.

I begin from the point of view that we now recognize that the constitutional status quo, both in terms of process and in terms of substance, is a non-starter. We knew that in 1981-82 Quebec would not sign, so something else had to take place. Given the impasse and what is happening in Quebec, Canadians, in my view, are not only receptive to the idea of re-Confederation—they want it put into perspective, mind you—they are demanding a look at how we are confederated.

I believe the vast majority of Canadians maintain a tremendous affection for this country and for what it stands for and what it has to offer, whether it is written down in a document or not. While they are passionate about their country, I think one other thing is very loud and clear. They are not prepared to extend special status to any one province or indeed any one group just to prop it up, because that is contrary to how they fundamentally see Canada, as equal opportunity for all. It just in essence is not what they feel should be in a Constitution.

I think they are prepared to accept Quebec as a full and complete partner in Confederation or not at all, because they do not see a Confederation if that is not one of the fundamental principles. I think that message has been pretty loud and clear. Whether politicians like it or not, Canadians do not perceive Quebec as being a full and complete partner in Confederation, nor does Quebec. The demands put forward by the Quebec Liberal Party in the Allaire report or by the Bélanger-Campeau commission today do nothing to assuage this perception.

Canadians are receptive, however, to a new Confederation and a new constitutional arrangement that will involve all of Canada. I do not think there is any doubt about that. On the surface, some would say that appears to be unacceptable to Quebec. I do not think it is; I really do not think it is. I think that is acceptable to Quebec.

While I believe that the process of constitutional discussions and the amending process surely ought to be agreed on before we get into all the matters of substance—we have got another couple of thousand years if we wish to continually amend the matters of substance, but if we cannot agree on the amending formula, then we surely have no Constitution at all. I firmly believe that and I am going to talk about that today.

However, there is one specific issue that has prevented Quebec from signing any future document that I said politicians do not seem to want to talk about, and I want to spend a few minutes on it today. It is the language issue. Ironically, I believe that this issue is the one that has divided us, the fear of Quebec that whatever powers it has or does not have will somehow or other lead to an erosion of



its French language and its culture. So they have not agreed with however those powers are configured. We have not satisfied their concerns and that has divided us.

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Ironically, I believe that if we come to grips with this issue, if we will talk about it, it is the issue that in fact can bring us together, that can point out to us how petty some of the other differences are when it comes to the country. I suggest to members that making language a provincial responsibility could satisfy the linguistic needs and the aspirations not just of Quebec but of all provinces, because just as Quebec has its own language requirements, so does Ontario, so does New Brunswick and all other provinces and territories. Surely if it is language that is tearing this country apart, then it is the language issue that must be resolved in order for us to come together.

Now I want to share some thoughts with members that they will say, "No, that's not exactly the way it is. Harris is wrong," and I may be on some of this. But what I want to share with members is the perception mixed in with the reality that has led to this, in my view, confusion over what Quebec wants and the language issue, and I believe how much we have in common with Quebec when it comes to this issue.

Ever since we were going to bring the Constitution home from England—we were okay when it was in England. We did not have to worry about it. We operated, we functioned as a country. Some people were unhappy, some wanted more powers than the rest, but we had a country. But then when we were going to bring it back to Canada, we were going to have a made-in-Canada Constitution, Quebec obviously was in support of that. Obviously if members look at their history, they were not terribly enamoured that our Constitution should be sitting in England; surely we can understand that.

Consistently, for 25 years or 35 years, however long this has been talked about, they have said: "We are worried about losing our language and our culture. We are worried in this milieu of North America, indeed of the world. Particularly in North America, where English is the dominant language, we are worried that we are going to lose ours. We see assimilation taking place. We see our children losing it."

They did not trust the federal government in a country dominated by English-speaking Canadians to be able to protect their language and their culture 25, 50, 100 years down the road. So they said: "We want language. We want enough power vested in Quebec"—and the other provinces could have it too. They did not ask for special status but particularly language to be a provincial responsibility, and we said no.

The federal government said no, Trudeau said no, those who had a vision of—I do not know what. I guess the vision was that some day, 50, 75, 100 years from now, all Canadians would be fluently bilingual. That would eliminate any arguments about how much French is enough in Edmonton and how much English service is enough in Quebec City, because everybody would speak French and English fluently. It would not matter. We would have official bilingualism, ie, you can function and work and oper-

ate your daily life in French or in English and they are interchangeable.

It is true that if language is a provincial responsibility, that vision of the country probably will not happen. I suggest to members it is not happening. I think we can provide services, I think we can do many things, but I do not get a sense that British Columbia sees all of its citizens as fluently bilingual at some point in time.

More important than that, Quebec said: "No. We don't trust Canada. We think that if the languages are equal, if everybody can speak French and English in this milieu, English will dominate and we will lose our French language and our culture." I agree with them. They said: "We want the power to protect it where we have the numbers. We want to be a French province. We'll provide services to the English minority"—and they do—"but not equal. If you allow it to be equal, then English will take over." We said no.

Do members know what happened? We tried to buy them economically and this is what made English Canada fed up. Quebec came and said, "We want to be French." We said, "We'll give you some offices in Hull." They said: "Thank you very much. We'd be happy to have those. We're not stupid. But do you understand? We are asking you to be French." We said: "We'll give you this grant program and that grant program. We'll move the space agency from Ottawa to Montreal. We'll move the CF-18 contract. We'll put that here."

They said: "Thank you, thank you, thank you. We appreciate all that. We're happy to have that. But do you understand? We are asking you to be French. We want language to be a provincial responsibility."

Do members see what happened? We tried to buy them in and tie them in economically. So where our Premier was so off track on the weekend, he warned Quebec about the dire consequences of leaving Confederation. We have tried to buy them for the last 25 or 30 years. They are like any other province. They will say: "Are you going to give us something? We'll take it. But do you understand our one condition to sign this document that we have consistently told you must be there? We want to have control and power to maintain being French."

You cannot go to Quebecers and put a price tag on that, and I applaud them for that. Unless you are prepared to talk about what you mean by official bilingualism, unless you are prepared to challenge what I call the Trudeau vision—and he can deny it if he wants, but those who believe that you cannot accept Quebec unless it will accept bilingualism, French and English equal, I disagree with that. I think we can have a French province in Quebec in this country. I am proud of it.

I see no change, if language is a provincial responsibility, in how the federal government operates. It has to be bilingual. It has to deal with the French province, it has to deal with the English provinces, it has to deal with the bilingual province, it has to deal with a French minority in English provinces and it has to deal with an English minority in a French province. I see no change in how Ontario operates. We will have to provide, and should, services to the French minority in our province. Quebec



will have to provide services to the English minority in its province.

Some English Canadians say Quebec is not doing a good enough job of that. I say to them: "How can you ask them to even do that when you won't accept their first tenet, which is that basically they want to be French? Surely you have to accept that first, before you can criticize what English-language services they are providing." For the life of me, I do not understand. I can only suggest that it is because a lot of the intelligentsia in the media, a lot of politicians have said: "If you don't accept this *carte blanche*, never mind trying to understand what bilingualism means. If you talk about it or you don't accept it, we'll label you a bigot. So you can't talk about it."

I think we had better talk about it. I think it is fundamentally at the root of why Quebec will not sign, did not sign, refuses still to sign, unless it is going to have those powers. In Meech Lake, they said, "If we get these six powers we think we can save our language and our culture." But fundamentally, they have kept coming back and back and back because we would not say yes to language being a provincial responsibility. If we would agree to that, then I think we could get on treating all provinces equally and get on to the other jurisdictions.

I said I did not want to get into specifics, but I thought that one was important because this whole dispute ended up being the Quebec round. Why will Quebec not sign? Why will Quebec not agree? We must solve that.

I also believe that we should be taking advantage of re-Confederation to disentangle myriad conflicting federal and provincial powers. Now is no time to resume the already tried and failed piecemeal approach, in my view, to nation-building. We do not have to resolve them now to agree on the Constitution. I think this is something that will flow out of this, because many of Quebec's concerns now go far beyond the language and go into these other powers that it is upset about.

We in other provinces share those jurisdictional problems too. There are so many entanglements of who is responsible for what and who has the taxing powers to be able to pay for it and so many violations of the principle that I call "He who opens his mouth or she who opens her mouth should pay." We get many levels of government promising things and another level of government saying: "That's not fair. We didn't promise it but we have to pay." Municipalities to the province, the province to the federal government—we must resolve those over a period of time as well. For very sound economic and social and fiscal and political reasons we need to embrace a whole host of major structural reforms, not the least of which is the division of the taxing and the spending powers.

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As a nation, I do not think we can afford the luxury of focusing on the simplistic challenge of single issues, of special interests, of quick fixes. There is an expression, "We have taken the car in for so many cheap and easy short-term repairs so many times that we now need a complete overhaul, if not an entirely new model, if we are going to stay on the road."

I want to spend some time today talking about one of the most critical elements in ensuring the success of any re-Confederation: the process. We know Canadians told us they did not like the process. I guess I have seen too many politicians still preoccupied with trying to drive this vehicle rather than putting this new vehicle together. We cannot drive it, yet we have not got it together.

I do not think one has to be terribly smart to figure out that the old closed-door process does not work. I think we still need, though, some insights before we get it through our heads, all politicians and the political leadership in this country, that changes are necessary.

Here in Ontario, I say to the Premier, I think we have started off on the wrong track. I think we are repeating some mistakes. I have pointed that out to the Premier in meetings we have had, and my disappointment with the committee structure, my disappointment with the document that was brought out. We are debating yet another committee report at a cost of some \$2 million, really on the basis of a document that could have been and should have been far more focused as to what the issues are.

I think it is part of the politics of the past. The Premier will say he is consulting, but I suggest that we are consulting in a vacuum. We were contributing to this problem of expectations. We went out to the people and said, "What do you want in the Constitution?" and we heard presentation after presentation of many good things people wanted. None of them had anything to do with the Constitution.

Were we to say to people who came before us and said they want official bilingualism, "Do you think you could get that quicker?" or "Are you comfortable that you could lobby for that if language was a provincial responsibility, or the way the Constitution is now?" that would be a fair question. I would like to hear the answer to that. I think we should have done some educating as to how the process would work. But we did not and, in my view, we missed an opportunity. In fact, what is remarkable, and it is a credit to the people who came before the committee, is the quality of input we did receive in the absence of a framework that I think should have been there.

So they understand what I am saying, at some point in time the Premier might want to consult on agricultural issues, for example. If he asks Ontarians what they think about agriculture and says: "We want to consult. We want to hear what you think," he will probably hear that some are happy, he will probably hear that some are not and he will hear that a bunch do not care. But if he told people that how the policies were structured would affect the price of bread and here is why, then I think he would have got a far more informed response. People would have said, "No, I like the old way better," or "I like this way." For example, if it was a marketing board or the free market and what impact that had.

We had an opportunity to do that. We had an opportunity to go to people and say: "Some are calling for a different way to run the country, for different powers. Here's what that means. Here's how it would affect you. Here's how it would affect Ontario." But we did not do that.

Similarly, the Premier's failure, in my view, and in my criticisms—as we are debating this report, I think this is



the appropriate time to lay them out. I do not criticize, nor am I attacking in any way, the Premier's desire to keep Canada together or his devotion to this country—I think he knows that—but the failure to offer any vision or substance or leadership whatsoever on the Constitution has been a little embarrassing, as an Ontarian.

At a time when Canadians are looking for fresh ideas and for new approaches, the Premier of Ontario, in my view, chose to pursue the route of the politics of the past, the partisan route: "I've got control of the committee. I've got the majority in the committee. I'll tell you how we're going to consult. Here's the government report, and then I will decide." We have not heard a word. Today perhaps we will hear a word on what he has decided, where politicians canvass public opinion under the guise of consultation and then retreat to the back rooms to make the real decisions. I do not know where the real decisions were made. I was not asked to partake or participate in them. That politics of the past involves tokenism, and I think we have seen some of that. I think it is some of the same cynical shortcut that was taken by the former government, and they see where that got us.

The Premier of Ontario really had a chance to do something different this time. We have had all kinds of suggestions and examples of how to improve the process, how to make it truly relevant, how to make it non-partisan, how to make it meaningful in terms of opening up the decision process.

I proposed one, "Why don't you set the makeup of this committee four, four, four?" I offered to agree to that. I was giving the most up—most people do not understand this—because I was giving up my right to be partisan. I was saying, "I'll give that up." I will give it up on other issues as well, not all of them. But I was laughed at by the leaders of both the other parties, because, I suggest—he will have an opportunity to speak after me—I think the leader of the Liberal Party is still embedded in the politics of the past, too. The two of them agreed: "No, we want the right to criticize you. We would never agree to anything like that." Of course the Premier said: "We've got the majority. We were elected. This is now. That was then, when I believed in true non-partisanship."

I am also quite intrigued with the concept of constituent assemblies to generate grass-roots dialogue on a very non-partisan basis. I have heard the Premier say that this idea has merit, so I ask the Premier why we did not take advantage of that option, to try it out. What better time and in what better way to test constituent assemblies than at this early stage—it is our early stage; it is late in the constitutional process—in Ontario? It has been suggested to me that one way to do this would be to establish these assemblies in each of Ontario's 130 ridings. We have 130 members in place, ready, able and presumably willing—I hope so—to assume the chairmanship of 130 assemblies in every riding. I think we have a remarkable degree of public interest, of commitment, from which we could solicit non-partisan, regional representation. I think the advantages of that are very obvious, and I think the need is clear. The only thing lacking is the political will and the leadership required to make it work.

I suggest that if we had been doing this for the last—well, six months is not fair. I would not expect the Premier to announce it on the day he was sworn in, but let's say for the last three months. Instead of this \$2 million committee running around the province, if we had done it that way we would have involved all 130 of us. What could be more non-partisan than that? We would have had an opportunity to hear from virtually everybody in our communities. We would not have been able, perhaps, to televise it and show everybody how good we are, but we would have actually heard, and we did not do that.

I am suggesting to the Premier that we can still do that, if he wishes, tomorrow. Scrap the committee and get on to a true consultation process. He should not scrap it, though, if he is not going to replace it with something better. I still think the committee is better than nothing, but I ask him to think about that.

At the very least, the Premier had an obligation as well to explain to the people of Ontario the real issues at hand. If he had wanted informed input, he should have said: "Here, Ontarians. You should know that somebody, I or somebody on behalf of this province, is going to have to deal with issues like the triple E Senate. Here's how the powers work today without it, with an appointed Senate, and on the other page, here's what it might be like with a triple E Senate, elected, equal and effective." He does not have to lay it all out: "Here's what would be different. Here's how the political process would be different. This is what this would mean to Ontarians, to the provinces, to the federal government." He should say to Ontarians: "What do you think of that? Because I am going to have to say yes or no to that or something like it one day if we are going to have a Constitution."

1620

We could have talked about native self-government. I do not know what it means. I truly do not. I think we could have said: "Here's how native bands operate now. There are federal programs; there are provincial programs. Here's why the natives are unhappy with that. Here is a sample model or a couple of models of how it might work if natives had self-government. Here are the responsibilities they'd have. Here's where they'd get their funding. Here's how it might work. Ontarians, what do you think of that?" That would have given the Premier some meaningful input, because that will be on the table.

We could have talked about all the powers that Quebec is saying it wants. We could have said: "Here are the federal powers today. Here are the provincial powers. Here's what Quebec is proposing. Here's how the country might function if we gave all these powers provincially. If you are interested in health care and ensuring we have national standards and health care was totally a provincial responsibility, here's what might happen. If you are interested in welfare and social programs, here's how it might work. What do you think of that, Ontarians?" That would have given the Premier a meaningful response to something he is actually going to have to say yes or no to.

Of course, language being a provincial responsibility: "Here's what it would mean. Here's what it would mean to the aspirations of francophones. Here's what it would



mean to anglophones. Here's what it would mean to the multicultural community. Here's how it would function. What do you think of that?" Then the Premier would have had some meaningful input on something he is actually going to have to say yes or no to, that Ontarians are going to have to say yes or no to.

On that basis, when I do conclude I will be calling on the Premier, as he did not do that before, to do that now, to do the economic study, to do the study on this, to lay these out before the people and ask for that informed opinion, not, "What do you think?" It is silly to ask somebody, "Do you want Quebec to stay or not stay?" or for somebody to come to the committee and say, "If Quebec wants all this, let 'em leave," without knowing what that means, knowing the implications. It is our job to tell them what the implications are, to do the economic studies, the impact studies. We have not done that.

I want also to talk a little about the amending formula. I said that before we get into specifics—yes, we need to define Ontario's role, but I do not believe we are going to make much progress as a nation unless our political leadership deals with the amending formula. Surely this is something we can talk about now without the specific issues. I agree with Premier McKenna. He came to Ontario, in fact. He said that before we can resolve the substantive issues we must first embrace a workable amending formula. Premier McKenna made specific proposals in this regard similar to the Victoria formula. He said: "Look, we've tried to amend this Constitution I don't know how many times. We haven't been successful once. We weren't successful with Meech Lake. Surely we've got to deal with the formula."

What does the Premier of Ontario think of that? I have not heard. We could share that with the people of Ontario and ask for opinion from those who understand the constitutional dilemmas. I do not think that has to go to every Ontarian; not every Ontarian understands the legality of things. They understand, "How does it impact me?" We must consult them there. Does the Premier of Ontario agree with these proposals? I do not know. We do not know.

As well, Mr McKenna was proposing a national referendum on whatever amending formula the provinces come up with. I think Ontario should know about that. I think we should be asked about that. I also think we should support it. More important, I think we need to know what Ontarians think of that.

Without giving all the facts to those we are reaching out to, I think we did not get back nearly the informed opinion we could have got back, and the clock is ticking. I think it is wrong. I think Ontario deserves better.

I want to conclude with a few thoughts. Meech Lake is dead. The 1981-82 document is dead, unacceptable to Quebec. Certainly Confederation as we know it is changing, but Canada, regardless of what is in or out or if we have a Constitution or not, is alive. It is in the hearts and the minds of Canadians, certainly the vast majority. It is alive and it is well, in my view. Given a choice between a new Constitution within a re-Confederated Canada—that is one choice—and the outright destruction of our country, I do not think is any choice at all. I think that is an easy

one for Canadians to make. I think we can and I think we must and I think we will build upon those shared values that bind us together as a nation and that have always served us so well.

I want to lay out a few I believe in, a value such as freedom. I do not know that we have to define it any more or any less than that: a basic human right that Canadians have defended. We have defended it on the battlefield. We have died for it. We have sacrificed for it, and enshrined it in our political process. A value such as opportunity, a cherished Canadian birthright, sure, and for those who come to our country, which some take for granted but others pursue to breathtaking heights. A value such as justice, a fundamental tenet of Canadian citizenship, in my view, based on a belief in the principles of fairness, of equality for all.

These, I believe, are some of the values that Canadians hold dear, that unite us, that define us, that shape our lives with a sense of nationhood as to this Canada of ours which, in my view, makes any constitutional document that goes into great detail about how justices are appointed pale by comparison.

Can we enshrine those values? Yes, I think we can. Should we enshrine them? Yes, I think we should. How do you enshrine them? Well, in my view, by turning to new and creative ways to those people who do hold high this torch of leadership in defence of Canada and do it each and every day—Canadians, not politicians, Canadians, all Canadians in the communities where they live and where they work.

We must set aside the self-serving agendas not just of partisanship but of territory, of responsibility, the finger-pointing from jurisdiction to jurisdiction. We must enlist the help of those who have so much to lose if Canada fails, yet so much to offer that I am convinced we can only succeed if we are willing to entrust them with this. I think we can define and we can redefine those things we can control, can improve, that will make the lives of Canadians or the opportunities for Canadians better.

I think we can agree as well to disagree on those things over which we have no control, and things which in the overall scheme of things really do not matter that much. We can still pursue them, but we do not have to say we do not have a country if we cannot agree on every single item today.

I suggest that Canada matters. I suggest that people matter, and I think they know that. I think we are doing no favours if we continue to allow people to believe that a new Constitution will solve all their problems. In fact, a new Constitution will solve none of them, not one of them. Not one witness who appeared before the committee to talk about improving the lot of natives on their reserves or on their land; not one who came before it concerned for or against the French language, not one, and we heard many impassioned presentations—the committee did. I heard some of them on social programs, on things that need to be remedied in our province and our country. The Constitution will not solve one of those, not one.



1630

I say that in the sense that this report today is not much good to us. It is not the fault of the people who appeared before the committee. The report has in itself increased expectations that cannot be met, and I ask members to think about what the Constitution is. It is simply a breakdown of federal powers and provincial powers and then a Charter of Rights and Freedoms to protect individuals from government; that is all it is. It sets the rules by which we can work to solve our problems, so we should be looking at those federal-provincial powers.

We should be looking at principles that unite us. If there are some we do not share, then leave them out for now and carry on with those that we can agree with. Make sure that we have a process that is meaningful and workable and that we continue to provide forums to debate the issues and those aspirations that many of the people who came before the committee have. But whether we have a Constitution or not, or this one or a pre-1981 or the 1982 one or a new one, is not of that much significance.

I call on the Premier to give us the impact studies of the real things that are on the table, of the federal-provincial powers. Give us those. I call on him to give us what it means to have a triple E Senate, the economic impacts of breakup, the language of provincial responsibility. What does that mean? Native self-government: What does that mean? I ask him to take them to 130 constituent assemblies and empower all of us in the Legislature, all 130 of us and all people in their ridings, to deal with those issues and to really hear what people think about those issues that are on the table.

Today as well I am calling on the Premier to examine the amending formula, to take a look at it and see if we cannot, without getting into all the issues and all the powers and all the things that should or should not be entrenched, deal and get a success on the amending formula.

I suggest to this House that the clock is ticking. I suggest that Ontario is not yet in the game. We are the largest province in terms of people, in terms of economic activity in this country, and we are busy playing a catch-up role. In that aspect I am embarrassed as an Ontarian. I still think we can do something about it, but I think if the Premier is not prepared to lead and to put Ontario back into the game, to put Canada back into the game, then he should do what perhaps should be done anyway: take it out of the hands of politicians altogether and put it in the hands of people who can and will lead on behalf of Ontario.

**Mr Nixon:** This is the fourth time that I have participated in a major debate on constitutional matters in this House. In each preceding time I always did so with optimism and confidence that the people in charge of the country would marshal public opinion and their own brainpower and come up with a solution that would see Confederation moving forward and perhaps strengthened. I do not feel that way now. Perhaps it is a sign of age or some other slowing down, but the usual optimism that I always feel in public issues, which is associated with liberalism, for reasons, Mr Speaker, that you would not understand, does not seem to be there.

I am confident that the first ministers, with whatever advice they deem appropriate, with the Prime Minister and the Premier of Quebec, will come up with some sort of a solution before the deadline imposed today, which is just, I guess, about 17 months away.

I hate to start by saying that I am not totally confident in the success of this particular operation. I well remember, when I first assumed the leadership of the opposition, actually in November 1966, the Confederation of Tomorrow Conference was scheduled by then-Premier John Robarts. It was our Confederation year and I may have mentioned some of the details in the House previously of that conference. John Robarts probably was the first to go out of his way to see that opposition politicians were well represented. As the new Leader of the Opposition I was in the front row and able to listen to the exchanges very carefully and, of course, over the four or five days of the conference, end up on a first-name basis not only with the premiers but with many of the officials who were there assisting—a very, very valuable function indeed.

I can recall the Premier of the day saying, "We're not here to make decisions; we're here to listen to the views of the leaders of the various provinces," and in that instance the Prime Minister of Canada, Mr Pearson, was not in attendance because of whatever decision made that the provinces were coming together to review their role and that the government of Canada had a supervisory role that became evident somewhat later, as a matter of fact particularly when Pierre Trudeau succeeded Lester Pearson in 1968.

I will not dwell on the Confederation of Tomorrow Conference, other than to say that it too was one in a long succession of reviews by parliamentarians and royal commissions of the various aspects, fiscal and otherwise, of our Confederation.

The next occasion that I recall was a federal-provincial conference convened in Victoria in 1971. Trudeau had assumed the prime ministership and had a certain degree of confidence based on his acknowledged abilities, and he had convened all of the premiers then. By that time, Bill Davis was the Premier. Following John Robarts's lead, he saw that I and the leader of the NDP at the time, who I think was Donald C. MacDonald, were in attendance. It is interesting, in conjunction with what we are talking about now, that after the opening formalities and rather generalized formal statements, Trudeau, as chairman, announced that from that time on the conference would be closed. It meant that my wife and children and I had a nice time in Victoria for three or four days.

We had no idea what was going on but, in fact, it was Mr Trudeau's first and almost totally successful attempt to remake the Canadian Constitution. We did not have a chance to hear rumours from it. We talked to the officials who were in there and, of course, they certainly were not talking about it at all, but there was unanimous agreement about amending formulas, the distribution of powers, a wide variety of matters pertaining to re-Confederation, which would have been a tremendous tour de force by all the first ministers with the leadership of Trudeau.



Mr Bourassa, then on his first time around as Premier of Quebec, went back to his cabinet and found, I think to his chagrin, that his colleagues felt that too much had been given and that, in fact, Quebec was not going to continue with the agreement that he had announced.

At the time, there was considerable discussion in this Legislature that the Premier of Ontario, newly come to that job—just like the present Premier, although not quite so surprisingly as this Premier; surprising for some—had not followed the traditions of our relationships with Quebec and had tried to assuage the difficulties and fears that the government of Quebec felt. They felt they were giving in too easily to the proposals from the rest of Canada, although there was not that much polarity then as there is now.

In any event, the thing fell apart and it was regrettable, indeed. Even if it had been successful, we might very well be just where we are now, because in all of these fixes over the years—I do not call them Band-Aid fixes because they really were as a result of a tremendously deep review and the meeting of the minds of men, in those days; I do not think there were any women involved, and that is maybe why we failed, I say to the Chairman of Management Board, who is interested in these matters, thank goodness—we might very well have been at the same pretty pass even now, which leads to the kind of pessimism that I have already expressed.

There were a variety of federal-provincial conferences dealing with the control of energy, particularly after 1973 when the world energy crisis came forward. Many of these matters resulted in the kinds of speeches on Confederation which were extremely important and interesting, although most of the speeches, I am sure members would agree, with the exception of—I will not make a list of exceptions—tended to be repetitive, boring, useless. Frankly, even in that regard, having spoken in these debates four times in the past, I cannot determine that I ever, as an elected member of the Legislature, had any effect on the destiny of the nation or even to persuade any individual to think differently.

1640

In the case of the Confederation of Tomorrow Conference, a person who assists me in research turned up the Hansard and I will not say I am proud to say to members that my comments then filled 23 pages. So if anybody wants to know everything about the Constitution, at least from the standpoint of South Dumfries township, it is there.

But my feeling, frankly, is although we have all taken part in this, the important speech is yet to come, and it comes from the first minister. The leader of the Progressive Conservative Party, who I thought spoke very well in a very interesting way—I would like to take time to argue, but we do not have that time right now—went back to the view that we certainly cannot go behind closed doors, that as a matter of fact, the politicians should be dismissed and the people should make the Constitution. I am paraphrasing him, and of course he did not say it in those words, but I gathered that was what he meant.

I think that is quite foreign to the way we have kept our nation together for 123 years. But we have a parliamentary system and we have a first minister here and we have a Prime Minister of Canada who at their peril would represent us in Ottawa or anywhere else without consulting as they saw fit, listening to the speeches here I appreciate the fact the Premier is spending time here listening to this. I would expect that he would, but here he is, and he would consult as he saw fit.

Now the committee, I thought, did a good job, but really they were put out there simply to hear what the residents of Ontario, the citizens of Canada, wanted to tell them about what they were interested in. I thought they did an excellent job. They worked hard and the thing I liked about it is they really got engrossed in the matter and became good friends across party lines. They form a coterie in this House which, if they do not understand everything about the Constitution—and who does?—if they do not all have the final answers—and nobody does—at least they have a perception and a generosity of spirit which I certainly admire. I thank them for the work that they have done.

We went on to the patriation debate in this House. I can recall that our present agent general in London, the then Minister of Intergovernmental Affairs, Tom Wells, was one of the significant leaders. Our newly appointed Associate Chief Justice of Ontario, the then Attorney General, Roy McMurtry, took a position of leadership as well. And the Premier, Bill Davis, did a great deal to put aside what might have been called sort of the primary selfish interests of Ontario to support the federal initiative.

I tell members that a lot of other provinces found it much easier to oppose the federal initiative. It might have had something to do with the timing of their next provincial election. Let's face it, sometimes these things are affected by local politics. But Bill Davis took, I thought, a leading role in supporting the federal initiative that ended up with the patriation of the Constitution. I can certainly recall that and frankly, I for one was very excited about it and extremely interested in the Charter of Rights and Freedoms.

I heard from many of my former political friends, then on the bench, now probably supernumerary, who had very strong views that we should not be turning over so much of our constitutional and lawmaking powers to the judiciary. It is interesting that some of the judges—as a matter of fact, former federal cabinet ministers expressed those views, and as we see what the Charter of Rights and Freedoms has done for and to the nation, there is some validity in that opposition.

I think, in spite of the yearning of the leader of the Progressive Conservative Party for a country without a Constitution, like the United Kingdom, that most people feel a nation like Canada, with its disparate cultures and geography, is well served by a Constitution. Certainly we have one and we have to have one and we will have one, and the Charter of Rights and Freedoms is an integral part of it.

The leader of the Progressive Conservative Party also said that he believes we have to have a nation where there is no recognizable difference among provinces, that we are



all equal, and yet the concept that was put forward in the Meech agreement about a "distinct society" was debated and supported by all parties and, as I recall, all individuals here.

I am not offended by that concept, although my former federal leader, Pierre Trudeau, certainly was. Right down through all the years of his leadership he made it quite apparent that any sort of agreement entered into by the federal government with Quebec that did not put them with the same responsibilities and the same powers was something that he felt was unacceptable. I should not even try to paraphrase his words, let alone his thoughts, but I was interested to hear him at Convocation Hall just two or three days ago when he was talking about this very matter.

I will not take time to talk about the justification of his role, even in answer to the criticism that came from Mr Harris when he said that Trudeau patriated the Constitution, but without Quebec. It is interesting to hear Trudeau's view on that and his criticism of the majority opinion of the Supreme Court of Canada in that regard. I will not dwell on that, but it is simply an interesting aspect of our development.

I want to just talk about these experiences for a moment and say that of course today is an historic day as well, with Bélanger-Campeau reporting—the CBC got it yesterday, and so we had it on the news last night—and with the Allaire report, which is the basis of the policy of the Liberal Party—not necessarily of the Liberal government in Quebec—having reported two or three weeks ago.

So the structure is there. It recalls the Premier's statement that Canada is not negotiable, and how odd that statement seems as we look at what has happened since he said that. It seems that in the past, the federal government had a leading role and Ontario had a leading role, but right now Quebec is calling the shots and setting the timetable. The Allaire report, with some of its recommendations, is of great significance to us, and they have said that unless an agreement is reached with the rest of Canada that is satisfactory in the eye of the government of the day—we presume, do we not, that it will be a Liberal government 18 months from now—there will be a referendum, and that if the referendum supports sovereignty, then automatically, a year to the day, sovereignty will occur. It is an interesting deadline, a year from this October. Goodness knows where all of us will be or what we will be talking about or what the various issues will be, but this, more than anything else, is going to set the timetable for our thoughts and action, and there is nothing we can say or do that will put that away.

The other thing that concerns me is the announcement in the Allaire report, which is verified and underlined by a special motion at the Liberal Party of Quebec's meeting, that the government of Quebec must not deal with the other provinces, that it must deal bilaterally with the government of Canada. In the Bélanger-Campeau report, they establish two committees, one to more or less look at the offers that may come in in the next 18 months from Canada, see if one of them is good enough to accept or maybe discuss, and if it is good enough, there will be no referen-

dum. The other committee is one to determine the costs and economic implications of separation.

My own view is that if the Premier is contemplating putting this committee back to work—I believe that he should—now that we have had a general run at the province, we have to give the committee much more specific instructions. It may very well be that the instructions will be basically the speech that the Premier will be giving in a few minutes. In other words, this is what the head of the government of Ontario thinks. What do you think about what he thinks? That may or may not be useful, but at least it will be consultation.

I believe that we should ask the committee also to undertake a review of the economics of separation from our point of view. God forbid that this would happen. I have to keep saying that to sort of protect my anatomy, but I do believe that we would be less than sensible if we did not at least take the lead, the precautions that are taken in Quebec. Let's just look at what we are getting into. It is fine to beat our breasts and say Canada is not negotiable. It is fine to say this cannot happen but there is a feeling among reasonable people in Quebec and certainly elsewhere in Canada that in spite of our best efforts, the people in Quebec may make a decision that is not along the lines that we would make or that we would wish they would make. I believe it is necessary for us to do the hardheaded review, almost thinking the unthinkable, and see that we as members of the Legislature and, through us, the people of the province, have at least got that to work on.

One of the good things is certainly the fact that Bourassa, in his second incarnation as premier ministre, has said quite clearly to his party, and therefore to the people of Quebec and the rest of us, that he believes in the federalist cause. Once again, I cannot quote him, and I should be able to, but that Quebec's role is in Canada and in Confederation.

1650

We have to remember that he is the head of the government. He has indicated that he does not want to deal with his fellow premiers, but knowing that he is a reasonable person and a very effective, I might even say consummate, politician, there is no doubt there will be discussions. Whether they are held formally in this chamber with all of the premiers here or something like that, I would doubt, but there is no doubt that he and his officials who have different views—Claude Ryan, we know his views; M. Paradis and others have already expressed views that we should be talking about.

It might even be that even as caucuses we would have communication with those people to see just what their views are. I hope that no one would be critical of that, because the more information we get the better it will be for us all. We have got something good there. Bourassa has spoken clearly and publicly in favour of the federalist alternative saying that Quebec's role is in Canada.

But opposite him is M. Parizeau, and he is certainly a politician, a man, a thoughtful person who cannot be discounted in any way. In my very brief tenure in government as Treasurer and as Minister of Financial Institutions there were a number of occasions when I had reason to have the



highest regard for his initiative when he was Minister of Finance during the separatist government, where they had special and very difficult situations to cope with, and he was probably the most imaginative and capable Minister of Finance that they could have had under those circumstances in that party.

So I just say to members that we cannot discount him in any way, a very capable person, and of course we know his views. Some of us—certainly I went to hear him at the Canadian Club. He was not in Toronto to make friends. He spoke very well, and since the Empire Club was the co-sponsor we not only sang O Canada but also God Save the Queen. Like a gentleman he stood at attention and did all of the things that an educated person would do under those circumstances.

He delivered an address that raised my hackles a little bit, but he said some things that I am not going to repeat here. But, for example, I had just been talking to the people around my table about, "What are they going to do about the national debt?" He dealt with that first. He said, "Our position, of course, is to accept fully our responsibility for our share of the national debt when we separate and I hope you people who are concerned about that will know that we will demand our share of the national assets."

That does not dismiss the problem at all, but it is an indication that the separatist party down there is not fooling. Not only that, but they are optimistic and they know that the rest of Canada does not as yet have a vision of what the rest of Canada can be. I think Audrey McLoughlin tried to bring forward a vision earlier this week about a social contract. Certainly Frank McKenna came up to Toronto and has spoken in his own jurisdiction indicating that we can be best in education, we can be best in the environment, we can be fiscally more responsible and so on, all those things. But somehow no one has been able to capture the vision—I hate that word, but it applies here. Our vision is to somehow negotiate and fool around and see if we can get another five years out of the Edsel. That is not visionary.

Maybe we can do it. Maybe we can depend on self-interest in Quebec for when a referendum comes or an election comes—which probably will decide it—that people will vote, I would say, for their patriotic love for Canada. There is some of that, I am sure, but essentially we are counting on them voting in their self-interest: "It is better for you in Quebec to be a part of Canada." Sort of down the list, we do have equalization, we do have the things that the leader of the third party was talking about, like these political plums that come your way. All of that stuff, I agree with him, is a strange sort of politics, a strange way to hold the country together and may be more associated with politics than it is with holding the country together, because every now and then in a federal election we get gifts here too. There is Fort Communication down at the CBC. There is the—what do they call it, the political park?

**Hon Mr Rae:** Harbourfront.

**Mr Nixon:** Harbourfront. What do we call that? Never mind. But these things are known to happen and we all renounce those things and there are no politicians here

who would ever undertake that antiquated way of persuading people of our efficacy. Anyway, there it is.

I have more notes here than I should have, but I would say to members that there is now a deadline, a guillotine that I do not believe we will ever get to if the Liberals are in office, which concentrates our thinking enormously. While we have to be thinking of the role of the Indians, if I may call them by their legal name, we have to be thinking of the rights of women, we have to be thinking of the amending formula, we have to be thinking of a triple E Senate—may I go on record as saying let's abolish it—

**Hon Mr Rae:** No, no.

**Mr Nixon:** —and all of these things, still what we have to get is some sort an agreement.

The Premier thinks I have given up hope of going, right? Why does he think I said something nice about Audrey?

All of those things are out there. When I mention the Indian situation, the aborigines, the natives, whatever the word is that we should use, I just want to say this: I do not have a solution for this. I know that we are going to have continuing difficulties. I have the honour to represent the largest reserve in Canada, but I have to say something else, that for the first time in 70 years they did not vote for a Nixon. They voted for a nameless, faceless, fine young man who would have been a supporter of the NDP if he had been elected, and he almost was. It is interesting. I think I should tell the members that there are probably 4,500 people on the voters' list there, but less than 300 vote because the Mohawks consider themselves allies of the crown to some extent, but very, very limited. They participate in federal elections, but very few people participate in provincial elections. But one thing is sure—and I guess it does not hurt me or bother me to say so—they have complete confidence in the Premier.

This is a terrible burden for the Premier to carry because I am not sure what he is going to do after he does what he does very well, and that is meet with them and raise their spirits, support them in a reasonable way, because they do not have confidence in very many people. They have had confidence in my father and me for ever, at least the people who vote. I still have many good friends down there and am well connected and do not feel blown away by the fact of the 240 votes cast I got three or four less than half. I just say to the Premier there is a downside to being good in these things: He has got to deliver, and I do not know what it is. The leader of the third party mentioned self-government.

They have excellent self-government there, an elected council, but once again, the Indian community does not support it because the hereditary chiefs in many respects still command their support, although a larger and larger number support the elected council, which in my view does a good job and has been well supported not only by the government of Canada but by the government of Ontario. I just mention that in passing. I am not sure what the role is in the Constitution.

I am not the greatest fan of Elijah Harper having been the instrument in destroying Meech, which I supported,



along with every other member of this Legislature as it then was.

**Hon Mr Wildman:** No.

**Mr Nixon:** Well, there were a few disaffected people who would not follow the leadership of the then Leader of the Opposition. I would just say that we lost a good opportunity for re-Confederation under those circumstances, but we are not thrashing that straw any more.

I just want to spend a few minutes indulging myself in something that I find intensely interesting, and that is going back beyond the Confederation of Tomorrow Conference in 1971, way back to where in fact the situation that we define by language and by culture, to some extent by religion, and certainly by way of Constitution and government, where it comes from. I am not going to spend too much time on this, I hope, but I just want to say that going back to 1760, after the battle of the Plains of Abraham, the conquerors brought a proclamation from the British crown, the Royal Proclamation, that said:

"We have conquered here. There will be nobody who is Roman Catholic in faith having anything to do with government. There will be no French spoken anywhere in government. By the way, the English common law will be the basis of all the law here, not what you people have been using, and by the way, land titles, the old seigniories, will be dispensed with and you will have to reallocate the land by fee simple, which is the British way."

1700

It is possible that the conquerors might have been able to impose that. The populations were small, and once the battle had been won, it was not going to be refought, except for one thing. The so-called American colonies were getting very restless, and the powers that were at Westminster certainly were not going to have this new colony, with rather unhappy and disaffected French people in the huge majority, join that stuff. So they very wisely passed a new law, the Quebec Act, which is really a remarkable piece of legislation, which welcomed Catholics into government, something that even in those days was not permitted in the United Kingdom.

They welcomed the French language in the discussions in their councils. They said: "You may return, and as a matter of fact we insist that you return, to the French common law and your method of holding land. You do it the way you want it, because we want you to be friendly."

As a matter of fact, it was so successful that the possibility of the French colony, that is, the British French colony, joining up with the revolution was put to bed. They were extremely successful in that policy, but that feeling of generosity and open-mindedness has carried down to this day and we should be proud of it, in spite of the fact that the real motives for it were not just the finest.

The next thing that happened, and I will only take a couple of hours on this, was that the United Empire Loyalists arrived, about 1780, and they had fought on the wrong side of the American Revolution. Many of them came over at Niagara and took up farming land that the crown had made available to them. They were joined by a large group of Indians from the Six Nations, the Iroquois confederacy,

including the strongest group at the time, the Mohawks, led by Chief Joseph Brant, a significant name. They came into the central part Ontario and were granted all the land along the Grand River from its mouth to its source, six miles on either side. So while we would say they were natives, they came at the same time as the other settlers, although for several scores of years they had hunted in this area. If members read some of the histories, they would know that Iroquois, in imposing their kind of peace, had in fact killed all the neutral Indians in the area. That is the way things were done in those days, and they had taken over this as a hunting ground. So in those days we had these new settlers. The Indians could not have been more friendly and supportive to the new settlers, helping them with what was needed, because they of course knew how to live in the virgin forest, as it then was, and they were certainly helpful in every way.

But the United Empire Loyalists found, to their horror, that they lived under the British crown but in a government that spoke French, that accepted Catholics—as a matter of fact it was almost all Catholic—where the British common law had no role in the courts and they could not own their farms by fee simple. So like any people who understand these traditions, they rose up, not in rebellion but in sort of an academic rebellion, and sent a petition to the government in England, and it was granted.

Their petition was, "We want to separate from the French Catholic part of Canada." So those people were the first separatists and it was granted to them and a line was drawn down the Ottawa River. They sent over their own governor and this was all English Protestant, with the Indians in support, and of course Lower Canada was French Catholic and they went on their way. I will not spend a lot of time on this, I have said it before, but it is interesting to note as we see this that the first separatists were motivated just the way I describe it and no other. They were not prepared to work with their confrères as they should have been in the other part of the colony.

Well, many things happened I will not tell you about, the Tories supporting the governor and the reformers, liberals, who were taking the more progressive side, but an interesting thing happened. The leaders of the reform movement, both in Lower Canada and in Upper Canada, had somewhat the same approach: Louis-Joseph Papineau in Lower Canada, a reformer, a very capable and intelligent person; and William Lyon Mackenzie, grandfather of William Lyon Mackenzie King, in Upper Canada, who had other qualities which members can read about. He was a very effective member of the Legislature. The governor kept dismissing him. He would go back in a by-election and be re-elected. In other words, it was a strong movement from the people to wrest the power from the Governor.

In those days, the Governor had it all. By his writ he could put anybody in jail. He could levy any tax. He had a little bit of a council of people who were called the Family Compact who shared in some of those advantages, but people soon grew to dislike this, and I want to point out that Mackenzie here and Papineau down there shared this.

It got pretty tough. At one stage the Parliament buildings in Lower Canada were burned. At one stage the farmers



grabbed their pitchforks and under Mackenzie's leadership marched on Toronto. They stopped for a cool beer at Mackenzie's Tavern, the Governor's militia found them, and it was all over.

This is a slight oversimplification, but I just want to tell members that, as a result of that, which is nothing like the American Revolution or what happened on the steps of the Winter Palace in 1917. The government in London did exactly what governments always do. It appointed a royal commissioner, and it happened to be the son-in-law, I believe, of the Minister of Colonial Affairs. Lord Durham came over here to find out what was wrong and made a report saying that these two colonies should be put together and that there should be one Parliament, that they should have responsible government and the Governor should only act on the advice of his ministers. In fact, they moved to responsible government in those days with the kind of government we have now.

The point of all this is that because the one side of the united province of Canada was Catholic and French and the other side was not only English and Protestant but Orange, if members know what I mean, the government almost had to have two heads. So from that time on there was always an English-speaking person for what is now Ontario, a French-speaking person from what is now Quebec, and politically they had an alliance which came down really right to now.

I have already mentioned Mackenzie and Papineau, but it goes on. The most interesting ones, the first premiers, joint premiers, of the united provinces were Baldwin and LaFontaine. We have excellent portraits of them out there, absolutely the greatest. If members read about those people, it is quite amazing. Brown and Dorion I mention for sort of self-serving interests, Macdonald and Cartier, and 124 years ago, when this joint affair really fell apart politically, in a sense very much the way it is happening now, they undertook a Confederation with other colonies and created Canada.

Members understand that the capital moved from Toronto to Kingston to Montreal to Quebec and the elected members did not have the benefit of simultaneous translation. They could not get home at night in a Chrysler limousine with a driver or anything like that. They had to really make a commitment.

They soon found that their friendships, beyond language and beyond culture, formed bonds which were stronger then, I submit, than they are now. Even in the 30 years that I have been in this House observing these things, I feel that there is less generosity and breadth of vision now than there was 30 years ago. The leader of the PC party mentioned the importance of language policy, and in a funny sort of way it was not so much an issue then as it is now, and it may be, as he pointed out, that politicians are largely responsible for that issue being as divisive as it is. He has suggested a remedy. I would have to think about that. But whatever happens there, it was better then than it is now.

There is a tendency for people my age, I suppose, to always think that, but I was not there, not quite. But during those days there was this growing strength between the

two provinces and a growing understanding that while they had huge and difficult political differences, still they could go forward if they worked together, with the two government heads being reasonably in harness and working for that purpose.

This has gone on in Confederation in an interesting way—if I can find it; anyway, I remember most of this—because when I first came on the scene, Hepburn was the Premier here. Duplessis was no Liberal, although he and Hepburn might have had something in common of a degree, but there were many exchanges. Often it was a balance against the power of the federal government, but the two provinces worked closely together.

1710

Even in the brief time that my father was Premier of Ontario, his opposite number was Adélard Godbout, a person I met at our farm and for whom my father had the greatest respect and a close personal friendship. It goes on for M. Lesage and John Robarts, and Robarts in many ways epitomized more than any other premier—I say that advisedly—the approach that Ontario has traditionally taken on a friendly basis and supportive basis in Quebec, and it was reciprocated. There was no big sister-little sister stuff. They were balancing, double cornerstones of Confederation.

While I would hesitate to talk about their importance relative to the Maritimes, relative to the west and British Columbia, we know what those relative importances are and the role that Ontario and Quebec have had has been quite dramatic. This goes on, of course, with Mr Davis and Mr Bourassa. The role that David Peterson played in Bourassa's second premiership and the Meech Lake accord is well known.

If I had a little more time I might explain the difficulties the Premier has, perhaps not with his own thought processes but with the advice from the Treasurer, who is seeing that he looks as good as he can, when the Treasurer has advised him over these many weeks: "Don't get involved in this constitutional stuff. It's like getting involved in some sort of mud pile and you can't get out." I just have a sense that the advisers of the Premier—

Interjection.

**Mr Nixon:** Well, if it is not the Treasurer, it is probably Ross McClellan who said, "Look, politically stay out of this and the time will come." The time has come and we look forward to that speech, because there are those who say, and I am not one of them frankly, that David Peterson lost a lot of support by his commitment to the support of Quebec on a reasonable basis to bring about the re-Confederation of Canada. I regret very much that that did not come about.

I am not sure what the Premier's relationship is with M. Bourassa now. I know that they met in Florida. There is no doubt that, being premiers, they talk. I do not know whether the Premier likes to talk on the phone as much as other premiers do, but probably he does. So there soon builds up a rather firm friendship based on a certain degree of confidence, since all the first ministers share this huge and difficult load.



For us to suggest for a moment that somehow all of the people have got to be involved in deciding the intricacies and specifics of a re-Constitution, in my view, is wishful thinking. I certainly believe that our committee and, through the committee, all of us have a responsibility to consult and give individuals a chance to express their views, but when it gets down to it, the person who represents Ontario at these meetings for now is the Premier. I am not prepared to say that I have all the confidence in the world in him, but I know that he has the ability and he has demonstrated in this House not only that he understands the nuances of Confederation but also that he can express them in an effective way. So I am not feeling uneasy about that.

The member for Nipissing pointed out that we have maintained for ourselves the right to criticize. That is what we are here for and I suppose that is what we are paid for, and we do that from time to time. But I would just say that in my view, if Confederation is going to go on with another fix for another five years, it will depend on Mr Bourassa talking to the Prime Minister of Canada and perhaps informally—not perhaps, I am sure informally—with the other premiers and working out an accommodation. My own view is that the real test will come not in a referendum, which I do not expect will happen 18 months from now, but in the next general election in Quebec, where the people will know it is clearly put. Frankly, I think Mr Mulroney has probably giving a fairly good service when he said: “It is not limited sovereignty. When you people in Quebec decide, it is are you in or are you out?” It will be very interesting to see what happens in that regard.

I want to end by telling a little story. When I was Leader of the Opposition in a previous incarnation, René Lévesque had just been elected Leader of the Opposition as the head of the Péquiste party and some group in Toronto thought it would be a good drawing card if they had the two leaders of the opposition at a luncheon to debate sovereignty. I rather stupidly allowed myself to get into that situation, because Lévesque was a very, very capable and attractive person and I tend to be kind of lumping. It was definitely a one-sided debate, except that I got myself into trouble after all this.

Nobody took this seriously. Here is a separatist party in Canada? How could this be? Except it was led by one of the most effective politicians in Canada—a little parallel there—and when he finished describing the aspirations of the people in Quebec, nobody agreed with him, but we knew that he believed in it. We also knew that many people in Quebec believed in it.

I remember saying in my final windup that as far as I was concerned, I had understood the close, binding history between our two provinces and, more than that, the people in the provinces, and that everything should be done to re-establish Confederation. We have kept it going a long time. But I said: “If, God forbid, the people of Quebec decide to take another course than staying on in Canada, then our destiny in Ontario is to do what we can to stop that, to point out that that is a bad course to take. But if it happens, our destiny is to be and continue to be Quebec’s best friend, whether it is economic or cultural or whether it

is simply that we have the great good fortune to share this part of the world that is so blessed with our sister province and the people who live there.”

I know that the people in this House and our first minister are committed to a continuation of Confederation. I am not sure what our first minister will do. I hope he is not going to be antagonistic and bombastic. It is not the way he is, except occasionally in question period. In fact, we should be as considerate and as generous as we practically can to see that our Confederation will continue and that, whatever happens, we are seen and felt by the people of Quebec as—and I cannot put it any other way—their best friends.

**Hon Mr Rae:** I want to begin by saying that I have enjoyed listening to the debate this afternoon. In particular, I want to say that I really did enjoy and benefit from the speech given by the Leader of the Opposition this afternoon. I thought it was an outstanding contribution to our discussion and I think it was an education for all of us who were privileged to listen to it. As always, I am very proud to be a member of the same Legislative Assembly as the Leader of the Opposition.

I want to say to members of the House that it is clear to all of us that our country is at a crossroad. The task and the challenge of national unity is as serious as any that has been confronted by the country since the years before Confederation and I think it was particularly important that the Leader of the Opposition in his remarkable speech this afternoon referred to those years and reminded us a little bit about our history and of our coming together and of our coming apart and of the tension and of the differences that have characterized Canada and characterized the years before we became a country.

I do not think there is any question in my mind that the challenge that we now face is every bit as real and every bit as immediate as the challenge that we faced prior to 1867. I think it is also clear to all of us and I think it is important, and I will come back to this theme again, that we understand this not as any kind of statement about a threat of any kind, but I think it is important for us to understand that the costs of failure are high. They are high emotionally. The wrenching affect that it will have on the entire fabric of this province and of the whole country has to be understood. It is not just a question of the money or of finances. It is a question of our own identity and of our own capacity then to respond.

But I believe the benefits of success are equally great. We are in the middle of a very serious and indeed deep recession which is not unique to Ontario. It is in fact being shared right now by the province of Quebec; it is increasingly the case that we share this situation. It is clear to me that economic renewal and nation-building in fact go hand in hand and must go hand in hand, because the eyes of the world are on Canada and our progress in dealing with the issues that now confront us will be assessed by all those who look to Canada as a place to invest and as a serious international partner.



1720

I want to start quite simply by not only thanking the committee but by congratulating the committee. I think the committee did an excellent job in a very difficult time frame. I think they produced an important consensus on some issues: The shared view in Ontario that aboriginal rights are important and need to be expressed in our Constitution; the willingness to review the distribution of powers; the need for the country to be involved; the importance of minority language rights; the need to strengthen the charter.

I also want to share the words of the Leader of the Opposition when he said that, in a very new Legislature where there are a number of newly elected members, we began the process which has to begin in this Parliament and during the life of this government, where occasionally we get over the partisan differences and where we recognize that all the members of the House are trying to work together with the people in this Legislature and with the people of Ontario to keep Canada united and to keep Canada together.

I want to say very clearly that I believe it is very important for the committee to continue its work and I want to say again that I agree entirely with some of the comments that have been made both by the leader of the third party this afternoon and by the Leader of the Opposition that now, at this next stage, it is crucial for the committee to become more specific in its work, more specific in the questions it asks, more specific in the research it undertakes, more specific in the consultations it undertakes. I think it has to consult more widely with the general public, and I believe that consultation continues to be important and will be especially important in the days ahead.

I think it is important that it meet with expert opinion as well. I think it has to meet with groups outside Ontario. In particular, as we see across the country, as we see other legislatures beginning to come forward and wrestle with these issues and begin to present their perspectives from their own views, I think it is extremely important that the legislative committee begin to meet informally and indeed formally with other committees as we strive to build this national consensus. I can tell the House on behalf of the government that we are willing to see the committee gets all the resources it needs to do its work.

I want to say on behalf of the government that Ontario is ready to help build a new Constitution and we are ready to help build a new Canada. Indeed, we are determined to do so. I want to state categorically that we are prepared to discuss the division of powers between the provinces and the federal government; that we are prepared to deal with the extraordinary changes that have taken place since 1867; that we are prepared to come to grips with the fact that it is not just a question of language any more, I would say. It has now become clear that it is a question of a number of changes that have taken place across Canada and in the province of Quebec which we have to address.

I want to stress to the Ontario public that in doing this it is not a question or a matter of appeasing Quebec or of accommodating Quebec. It is a matter of our seeing this as a round for Canada in which all of Canada stands to bene-

fit from a Constitution that works better to the advantage of all Canadians. It is our task to make the issues of constitutional reform as real for the people of Ontario as they are for people in other parts of the country.

The leader of the third party was commenting today, being very critical of things, but I think it is fair to say that the Ontario public has not been as seized of this issue as perhaps some other publics have been, certainly the public in Quebec, but indeed in other parts of the country where there is a much stronger sense of regional or constitutional grievance. I think it is fair to say that in our own province that sense has not been as strong, so now in the next step which we are undertaking as a province and as a Legislature and as a government it is important for us to stress that there are real disadvantages, not in a regional or local sense, not that we are being shafted at somebody else's expense or benefit, but that there is substantial advantage to us as a people to make sure the Constitution works better.

Let me just mention, to be very specific, two or three areas where I think it is very clear to all of us—it is certainly clearer to me since becoming the Premier—that the current division of powers and the overlapping of powers do not work well. We are in the middle of an economic sea change, of a quality and of a character which we have not confronted since the Depression. I want to suggest that when it comes to the area of training, manpower, unemployment insurance and income security, if we look at that whole field, that whole area of how we help people cope and deal with this change, there is an extraordinary amount of duplication and overlap and constitutional confusion.

Just to give a very practical example, we have a situation where there is conflict between what we are trying to do in terms of increasing the amount of adjustment assistance to workers and the approach being taken by the federal government with respect to unemployment insurance. I do not say this in order to make a partisan point about what is going on in Ottawa. I am simply here to say that it is not only the people of Quebec who look to this system and say: "Wait a minute. That's not working very well." It is also possible for citizens in other parts of the country to say: "You know, we can make this work better."

If people want to discuss how the division of powers needs to be made to work, there is nothing sacred about the categories that were established in 1867, there is nothing sacred about the divisions which were set up in 1867 between section 91 and section 92 of the Constitution. I ought to be possible for us to take this challenge which is now before us—and it is a very real one—and turn it into an opportunity where we do not simply address the agenda of one province but where we say, "Okay, let's take that fact, the fact that Quebec has taken the decisions it has taken and that the failure of Meech has produced the fallout it has," and turn that into an opportunity where we say to all Canadians, "This is a chance for us to remake the Constitution." We do so at a time of extraordinary economic and social difficulty and social change. We ought to see this as an opportunity and not simply as something to be afraid of. It is a chance for us. It is a chance for, believe, a new optimism.



The Leader of the Opposition says he is pessimistic. I, myself, feel we have an opportunity and that we ought to see it as an opportunity to build Canada better, to make it stronger and to make it work in a way that benefits all the people of the country. We can only do this if we convert what for the last five years has been seen as a Quebec round into a round for Quebec and into a round for all of Canada as well. That is a difficult task but it is what we have to do.

Monsieur le Président, je veux parler directement à la population québécoise. Au nom de mon gouvernement, et je crois que je peux dire au nom de la Législature de cette province, je veux dire que nous nous approchons des discussions qui auront lieu dans le gouvernement avec un esprit de générosité, conscients que nous pouvons, devons et voulons reconnaître le caractère unique et distinct du Québec, sa personnalité. Nous voulons le faire, nous sommes prêts à le faire sans pour un moment nier la réalité d'une autre identité aussi. Comme partenaire canadien avec la population québécoise, nous attachons une importance à trouver une solution à nos difficultés et à nos différences. Nous voulons que le Québec puisse trouver son identité dans la fédération canadienne parce que nous voyons des avantages énormes pour nous tous dans cette solution.

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Je l'ai dit en anglais et je le dirai encore, franchement, nous voyons aussi des coûts émotionnels, politiques, sociaux autant qu'économiques pour nous tous, pour le Canada, pas seulement pour le Québec mais pour nous tous, pour l'Ontario si nous ne trouvons pas l'imagination nécessaire pour créer une nouvelle constitution.

C'est pourquoi je dis sincèrement que nous voulons trouver une solution à nos problèmes constitutionnels pour que nous puissions, ensemble, créer un Canada qui marche mieux pour tout le monde. Nous croyons qu'en résolvant, si vous voulez, la question des discussions québécoises, nous devons aussi admettre que c'est tout le Canada qui a beaucoup à gagner de mettre sur la table d'autres questions dont il serait aussi discutées dans ce rond constitutionnel. Nous le faisons pour nous tous, mais surtout nous le faisons pour le Canada.

When federations are created, a new country is born, a country that is bigger than its parts. The federation whose historical process has been described this afternoon meant that there was a sharing of sovereignties, which means that there was a recognition of mutual rights and obligations.

During the Meech Lake round I spoke in this House, sitting in the chair that is now occupied by the Leader of the Opposition, and I said then, and I say today, that I believe profoundly that Quebec's character and collective rights can be recognized and must be recognized without compromising the need for national programs and national standards and without denying the rights of others to have their personality recognized as well.

It ought to be possible for us to have the self-confidence to be able to say what we all know to be true: that Quebec does have a unique character, a distinct—whatever words you want to use—society within Confederation. We ought to be able to say that without in any way diminish-

ing our own identity and our own personality and without taking away for a moment from the fact that there are other rights and other recognitions that equally well belong in the Constitution.

When you think about it, it is more than a little absurd that we have created a Constitution, admittedly in an imperfect fashion over many years, that still does not talk about the fact that surely one of the fundamental characteristics of the country is that it was a land originally settled, originally occupied, by our native people, and that they were there long before any other people came, and that that historical relationship is one that has never really found full expression, either in our Constitution or indeed in many of our other institutions.

I am not saying that the process of finding or defining what we mean by self-government is going to be easy, but I can say—and the minister responsible for native affairs knows how challenging and daunting it is—to the people of this House, as I am sure is felt across the country, that this is a rendezvous with our own conscience, our own destiny and our own past that we have an obligation to make, and we ought to take advantage of this opportunity as we rewrite the Constitution to do just that.

We believe that the charter can be strengthened. There is a concern in the country and I think it is a concern that is felt by many members in the House. Some are saying, "If the federal government takes the view that the only way to satisfy the Quebec agenda is to massively decentralize to other provinces" to get over the question of special status, which was raised again by the leader of the third party this afternoon, by saying, "Well, okay, we won't just make it Allaire; we'll make it Allaire for everybody,"—I think there is a very strong concern among a great many Canadians that we cannot just turn the federal government into a post office and let it be done and say: "Now we've solved the problem. We've got a little committee of people up in Ottawa and all the power's gone back to the provinces and that's the national consensus that's going to pull us out of this." The only problem with that is that it leaves out the soul of Canada. It leaves out the will of the Canadian people, and the will of the Canadian people is that the definition of a country is people who create something in common together that means something and that has a common meaning.

I think we have to wrestle with this question, and one of the contributions that our government wants to make is to explore with other governments and indeed to explore with the people of the province whether there is not some way of strengthening standards and rights in the Constitution and being a little bit more flexible about the question of who delivers what program. In other words, if we can define more clearly in the charter not only individual rights that have been expressed so far but also certain important social rights which we all accept—the right to health care, for example, and I can think of a number of other examples which are generally shared throughout our society.

I might just say in parentheses that one of the ironies of what we are facing is if we think how different sociologically and culturally English Canada and Quebec were in 1867 compared to today. Quebec is a modern society



today, as urbanized as Ontario is. Its commitment to social programs, whatever governments may change and how they may change, is every bit as strong as it is in this province. So in fact there is a much stronger basis for national consensus on some of these programs than we might believe.

If that consensus is there, I want to suggest that perhaps one of the solutions is—and I do not pretend to have any magic answers. One of the things I have learned in this whole constitutional field, having been in it for 12 years, is that people who have magic answers do not tend to get very far. What we have are some suggestions that we want to share with other Canadians and we want to share with other legislatures and other premiers and other people, just so we can begin this discussion. If we can strengthen national standards and strengthen the Charter of Rights, maybe it allows us then to be more flexible on the question of the division of powers in terms of how we deliver programs. It seems to me that that might be one way that we could go.

Je dirai au gouvernement du Québec que M. Bourassa lui-même parle souvent — et quand je lui ai parlé en Floride et je lui parle au téléphone — et je peux rassurer la population de notre province et la Chambre que naturellement ce n'est pas étrange pour le premier ministre de l'Ontario et le premier ministre du Québec de parler ensemble.

Hier soir, quand j'ai parlé avec M. Bourassa, je l'ai invité à venir dans notre province et dans cette ville de Toronto nous rendre visite, nous donnant la chance de discuter encore et lui donnant l'occasion de présenter la position du gouvernement de Québec. Il m'a invité aussi au Québec et j'ai l'intention de le faire pour discuter de nos relations en commun et pour discuter de la situation. C'est tout à fait naturel que ça va se faire comme ça.

M. Bourassa et le gouvernement québécois parlent souvent de la Communauté européenne comme un espèce de modèle sur les questions de l'avenir du Canada — créer un marché commun avec les institutions communes. Mais je dois dire d'abord que la Communauté européenne a une charte sociale qu'elle reconnaît. Ils ont des normes environnementales, une approche faite pour l'industrie, pour l'économie qui marchent beaucoup mieux communément.

Alors, je dis que si vraiment on veut avoir un Canada qui va marcher, une fédération qui va marcher, il faut que nous reconnaissons l'élément social et économique des droits économiques et sociaux dans cette nouvelle fédération. Si nous reconnaissons les droits dans la constitution, si nous reconnaissons la possibilité d'avoir des droits plus largement définis dans la constitution, alors, ça nous donne la chance de dire : «Eh bien, on peut parler de partager les pouvoirs d'une façon différente».

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I believe that the province is ready and the government of Ontario is ready to discuss the concerns that have been raised by many westerners and, indeed, Atlantic Canadians, in particular the Premier of the government of Newfoundland who has raised the question again and again of Senate reform. Unlike any other federal system in the world, we have a Senate that does not function in the way that it is supposed to function. It does not credibly repre-

sent the regions. It does not credibly represent the federal principle. It represents the patronage principle. What we need is an institution in Ottawa which represents more clearly the federal principle and not an institution which recognizes the patronage principle. We are prepared to work with other governments to see that this is exactly what happens for the benefit of all Canadians.

Having said that, I must confess that to this point I am not persuaded of the real possibilities of a strictly triple E Senate. I think it will take some real discussion as we discuss the ways in which the Senate will be elected, the exact proportions and the powers that such a body would have. I do not intend as we head into this period of national discussion to lay out categorically exactly what that is, but I am prepared to say and want to say on behalf of our government that we are bound and determined to improve our institutions, and that includes the Senate.

I take the approach, and I reaffirm it today, that I do not think it is useful at this stage for Ontario to say that we have a particular agenda in a kind of regional way and that this is what we take into the bargaining, and that if we do not get this—that is not the nature of the discussions and that is not the nature of the role that any Premier of the province has ever taken going into discussions.

Rather, I want to say that we stress certain principles: an affirmation of rights and an extension of those rights to include some broader social and economic principles as well; a determination on our part to use this round to make the country work better, more efficiently, and more fairly and explicitly to deal with the division-of-powers question, to ensure that in fact Canada is capable of meeting the challenge of the 21st century, a challenge which I believe we can only meet truly effectively if we have a renewed and stronger Constitution; a willingness on our part to say categorically that we are prepared in this round on behalf of the people of the province, as we were in the last round, to recognize the unique character of Quebec; as well as some other basic principles—the rights of aboriginal people, the fundamental equality between men and women, equality rights generally as part of a new Constitution.

That, I hope, indicates to the House some direction, in terms of substance, in which we want to go. But I want to say to both the Leader of the Opposition and the leader of the third party that we see the committee and, indeed, discussions among party leaders, and as many discussions as we can possibly have, as a chance for us to share all the information that is available in terms of some of the questions that have been raised.

On the question that the leader of the third party raised about the impact of the division of powers, I can assure him work is going on. I can assure members as well that one of the tasks of our government is not only to deal with the question of the division of powers as it relates to Ottawa, but to recognize at the same time that our municipalities are looking to these programs that have not been working, and the disentanglement that is required, and work with our municipalities in making sure that we deal with this question as well. If we do that, I think we will begin to allow the people of the province to see what is at stake for them and what is at issue for them in our trying to



build a stronger country, in our trying to make it work better.

I want to turn now to the question of process. I think it is clear—and I think it has all been said before and been said here as well—that we cannot simply go back to the old game. It is not possible, in my view. For a whole variety of reasons—the position that has been taken by the government of Quebec, the position that has been taken by a number of other governments, the feelings that have been expressed across the country and, indeed, the feelings expressed in our own province to the committee we cannot simply return to the notion of a few people getting together and trying to solve the problem.

At the same time, I want to say that there are some realities that exist. First of all, we do have a Constitution which is the legal framework for how we have to get from here to where we want to get to. We have to be prepared to be as creative as possible in using that framework to allow us to get to the new Constitution.

I do not believe—it has been suggested by a number of people—that you can simply do an end run around the old rules by going to the Supreme Court and saying: “Look, it’s a crisis here. You’ve got to give us a new amending formula,” or: “Here’s a new amending formula. This is the one you have got to use.” I do not think that is going to work. I do not believe that this approach is going to work. I do not believe that simply having a referendum on a new amending formula in itself can work unless we are prepared to use the means that are there at our disposal in order to get us there.

I can tell members that I think we need very strongly to have a serious discussion at the national level and in this House on the question of an amending formula that will work better than the old formulas. In the Constitution as we now have it, we do not just have one formula; we have a couple. We have unanimity for some. We have seven and 50% for others. We have bilateral negotiation for a third. The process is unnecessarily cumbersome and confusing. It is the view of this government that we should move to a single amending formula, and it is one that will require less than unanimity. Beyond that, I think it is important for us to discuss what the various options are.

I was intrigued by someone suggesting that a return to Victoria is a possibility. Mr McKenna mentioned that. It has been mentioned by some others. That is certainly an approach that is worth a serious discussion across the country. But I would say to the leader of the third party, who advocated it here today, that it is not quite as simple as that. We have to figure out what the opposition is from those provinces that have said no to Victoria and have told us categorically that they will under no circumstances return to it, of which I can tell him there are now two or three. We have to sort out the question of, well, if not that, then what will there be?

There are a number of eyes that glaze over when they hear us talking about amending formulas and about what happened at Victoria and what happened here and what happened at Meech, at Langevin 1 and Langevin 2. It is precisely because of that that the sense is—and the leader of the third party said so clearly today; he was so right—

for so many people that this is just an inside ball game. Nobody really understands what it is you are talking about. You are not talking about them.

I am here to say to Canadians, let’s not get hung up on whatever formula we want to use. It should not require the approval of every single province for us to be able to make constitutional change. At the same time, the interests of regions and the need for us to attempt to find a national consensus before making change is necessary. Beyond that, we ought to have the imagination to find a way out of our current impasse when it comes to questions of formula.

So the question will become, what next? What is going to happen now? We had Allaire. We had the Liberal Party convention. We have Bélanger-Campeau. The question becomes, what is the next step? While it is not possible, I think, for us to delineate exactly what is going to happen, I want to suggest that there are some approaches that we have to take and some realities that we must take into account.

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First of all, as I have said already, our committee has to become more specific, has to deal more clearly with other provinces and with other people and has to deal more concretely with the costs and benefits of all the options that are being explored. That is an approach which the committee must take, which the government encourages and which we shall do everything possible to see is happening. I can tell the House that obviously a lot of work has been going on within the government, not just since I took office but indeed before I assumed the role of first minister. There are other groups out there. There are all kinds of study groups that are going on in our universities, in the business community, in the labour world. There is lots of work that is going on in this whole field. There will be no absence of discussion and of information and of sharing of information, and that process will go on for a time.

I intend to meet now more regularly with other premiers. I intend to encourage other premiers to come together, not necessarily all at a time but in groups of two and three at a time, so we can begin to really discuss the elements that will be essential for us to make reform happen. I have already indicated, speaking in French and I will say it again in English, that when I was speaking to Mr Bourassa last night on the telephone, and I say to the people here and elsewhere the relationship that we have is one—there has been no reluctance on his part to discuss constitutional questions with me as the leader of the government of the province. There has been a great willingness to put forward the views and to talk candidly about what kind of situation we find ourselves in and the need for us to work towards a change. I have invited Mr Bourassa to come to Toronto and Ontario and he has invited me to come to Quebec. We both accepted both invitations and that will be happening very soon.

I have also been discussing these questions with the Prime Minister in terms of what proposals he and the government of Canada has. They are attempting to find a solution to this, and of course there will be discussions with other premiers and with other governments as we meet at



this first point in an exploratory way to continue to try to find the common ground which we have to find.

Eventually, however—and when I say “eventually” I mean before too long—I believe it will take a constitutional convention, a gathering, certainly made up of legislators from provinces, territories, the House of Commons and native people, and I think that is the least number of people who need to be involved as we attempt to find a genuine national consensus which will then have to go through the legislative process which is set out in our own Constitution.

I must confess that I do not share the enthusiasm for referenda which has been expressed by some. I do not want to make disparaging comments about rolling the dice, but I do want to say that everyone should understand that it is far better for us at this stage to attempt to find this consensus, and to attempt to share information and to try to find a national consensus, through a constitutional convention which has a degree of political responsibility and accountability, which takes into account all the consultations which have taken place.

I must say, as messy as that is and as necessarily loose as that is and as still moving towards consensus as that is and as frustrating as that is, I much prefer that to a process where on a snap question, defined by who, on a snap referendum, established when, we put questions to the people. Let me say to those who think it is a great idea, Mr Gorbachev did not find it was a terrific success when he tried it. Let me say that the last time we tried it in this country was during the Second World War and it proved to be one of the most divisive and difficult exercises that the country had gone through up till that point.

Much has been said about what needs to be done, about our past, about the history, about other first ministers in other governments. I want to make just a couple of personal comments. This issue is as important and real as any that we face as a people, as a government, as a Legislature. The country itself represents so much that is good, so much that is valuable to our sense of our own identity, whether we were born here or came here as immigrants, whether it was our parents or our grandparents or great-grandparents who came to this land, whether this has always been our land, as is the case with our native people.

The Canadian community has always in the face of crisis found sufficient goodwill and, dare I say it, sufficient leadership to allow it to continue. Fate and the electorate have given me the responsibility of leading the province through this time. I can only tell the members of the House that I do not see the Constitution as an issue that is out here or the economy as something that is over there and social policy questions somewhere in between. These questions all come together for me in a very special way and I can tell the members of the House, as I have said before, that I am going to need all the help I can get from other members in helping us to deal with this question. I am going to need the advice and good counsel of those who have been here before, and I intend to rely on that. I do not see this and will never see it as an intensely partisan question.

I can tell members that I spoke to the Prime Minister last night. I hope members of the House will realize that he and I are members of different political persuasions and we have had our differences in the past, but I said to him last night, as I have said to him before, “This government is prepared to use all of its imagination, all of its abilities, all of its goodwill and generosity with all the other governments of Canada to help us remake a new Constitution.”

Partisan politics we leave outside. What we bring and what we give to the people is our good judgement, our attempt to build a Constitution by talking candidly and frankly with one another about the choices that are before us. Canada deserves our best efforts today in a way that has not been true for a long time. We desperately need to see this challenge as an opportunity, to convince the people of this province that reform is there for them as well, to convince the people of the province that to recognize the rights of others is to take nothing away from themselves;

dire à la population de la province de Québec que nous sommes avant tout des gens de bonne volonté, des gens qui voient l'avantage profond de notre fédération et qui voient toujours les possibilités d'un nouveau Canada où les droits sont plus clairement exprimés, où les responsabilités sont beaucoup mieux partagées et où les identités différentes et diverses sont profondément reconnues et respectées avec dignité.

If I may conclude, the House has had an opportunity over the last several days and in the middle of extraordinary changes across the country to see the possibility of change and I think also to come to terms, perhaps more suddenly than many had realized, with the implications of the impasse. We believe in a Canada where rights are strengthened and affirmed. We believe in a Canada in which the definition of citizenship, the sense of what we owe each other, is more widely shared and understood. We believe in a Canada which works more efficiently and better, in which powers are newly redistributed because we think we can do it better than now, in which the character and rights of the people and population of Quebec are recognized, as are other collective rights of our aboriginal people, but in which the common thread of citizenship comes through all the time. We see a Canada in which the tasks of economic renewal, of social justice and of nation-building are one and the same. I hope very much that this succeeds. I know that with our best efforts and with the efforts of all the members of the House and all the people of Canada it can and it will.

#### VISITOR

**Mr Kwinter:** On a point of order, Mr Speaker: Could I ask for unanimous consent? The Leader of the Opposition alluded to a gentleman who had a great input into the constitutional discussions that took place. He is in the gallery. More important, I would like to ask unanimous consent to express our condolences to him. He is here, unfortunately, because of the death of his mother, who will be buried tomorrow. I just would like to have that on the record.

Agreed to.



**Hon Mr Rae:** I just want to say on behalf of the government that our thoughts and feelings are with Mr Wells at this moment. I cannot think of anyone who has given more to this province, represented us more effectively in London, and I can only imagine the pride which his mother must have felt all her life for the extraordinary contribution he has made to our public life. Our thoughts and prayers are with Mr Wells today.

**Mr Harris:** I did not realize Mr Wells is here. I saw him last night, and I thank the member for Wilson Heights for pointing that out and for giving us an opportunity to thank him for his time and effort and service on behalf of his province and this country. As has been pointed out, he is one who would, I think, have enjoyed the discussions today and was heavily involved in these discussions, not

throughout all the history the Leader of the Opposition gave us today but through a great deal of it; he did not quite go back that far.

We too extend our sympathies to the family on the reason Mr Wells is here, the passing of his mother.

I meant to ask last night and I still want to ask him: How does Britain function without a written Constitution at all? I mean, we have all these problems in Canada. When he goes back there, maybe he can help us with that.

**The Speaker:** This concludes consideration of the interim report of the select committee on Ontario in Confederation by the House. It being 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1804.



## ERRATUM

No.	Page	Column	Line	Should read:
6	235	2	38	<p>during question period. If the member for Eglinton was really interested in a substantive answer about the assessment of specific properties and not just partisan politics, she should have given me notice and I am always happy to provide answers. In fact, in less than three hours since the member posed her questions, officials in the Ministry of Revenue have looked into the assessments of some of the properties the member mentioned.</p> <p>Here is what they found: 39 Pembroke was renovated and reassessed in 1984 for 1985 taxation. Two added units were not assessed until 1990. This accounted for the apartment's increased assessment. All the properties on Lonsdale Avenue have been renovated, and 90 Adelaide East is now before the Ontario Municipal Board, therefore I will not comment.</p> <p>I would be happy to have my officials check into the other properties mentioned by the member for Eglinton if that is what she wants. The assessments for these properties increased as a result of renovations that increased their assessed value.</p> <p>I want to point out that these renovations came to the attention of the ministry because someone else, someone I believe who is well known to the member for Eglinton, invited comparisons with other properties in appealing assessments. This resulted in inspections by ministry assessors who duly reported on these renovations and their affect on the value of these properties.</p> <p>These actions are completely consistent with the letters on this subject I have sent to tenants. If some tenants feel that their rents have been unjustly raised, they can seek redress to the rent review system. If the landlords feel they have been unfairly assessed, they can appeal to the assessment review board. Of course, this minister, meaning I, will not personally intervene in any case before this independent tribunal. If the member for Eglinton feels that tax increases should not be passed on to tenants, she has the opportunity to put forward that position when this House considers the new rent control legislation.</p> <p>If the member for Eglinton has any information on any other property that she would like my officials to check, I would be happy to pass it on.</p> <p><b>The Deputy Speaker:</b> There being no further matters to debate, I deem the motion to adjourn to be carried.</p> <p><b>Ms Poole:</b> On a point of order, Mr Speaker—</p> <p><b>The Deputy Speaker:</b> There is no point of order. The debate is ended.</p> <p><b>Ms Poole:</b> I just hope it will not take another sever weeks—</p> <p><b>The Deputy Speaker:</b> There is no point of order. The debate has ended. There being no further matters to debate, I deem the motion to adjourn to be carried.</p> <p>The House adjourned at 1808.</p>



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Gigantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haack, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Hampton, Hon Howard</b>	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	
Kwinter, Monte	Wilson Heights	Lib	
<b>Lankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Martel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>North, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Boole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rea, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Stilpo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Tola, John	Mississauga East	Lib	
Torbara, Gregory S.	York Centre	Lib	
Terling, Norman W.	Carleton	PC	
Tockwell, Chris	Etobicoke West	PC	
Tullivan, Barbara	Halton Centre	Lib	
Tutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
Warbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Wilson, David	Dufferin-Peel	PC	
Worndall, David	York Mills	PC	
Willeeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessinger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Irene Mathysen

Clerk: Smirle Forsyth



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Legislative Assembly  
of Ontario

First Session, 35th Parliament

**Official Report  
of Debates  
(Hansard)**

Thursday 28 March 1991

Assemblée législative  
de l'Ontario

Première session, 35<sup>e</sup> législature

**Journal  
des débats  
(Hansard)**

Le jeudi 28 mars 1991

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 28 March 1991

The House met at 1000.

Prayers.

## ORDERS OF THE DAY

### PRIVATE MEMBERS' PUBLIC BUSINESS DISABILITY INSURANCE

Mr Beer moved resolution 7:

That in the opinion of this House, the government of Ontario should introduce legislation during its current mandate to implement a universal disability insurance program; and further, that this legislation should be preceded by a province-wide consultation process initiated before the end of June 1991 and based on a published public consultation document laying out policy options for the management and reform of the current compensation and benefit system.

**Mr Beer:** I am very pleased this morning to be able to present this motion that will I believe see within this decade a comprehensive, universal disability program or scheme for all of the people of the province, if we can begin and move quickly to start the process of implementation.

I was interested as I was doing some work on this particular resolution to see the number of studies and reviews that have been carried out of this particular issue. Most recently, members will recall that in the report entitled *Transitions*, Judge Thomson and the Social Assistance Review Committee indicated that this was one of the areas where it was very important for the province of Ontario to move. After the election in 1987, I came across a piece by the now Premier, and then Leader of the Opposition, and I would like to quote it because it speaks very directly to this idea of creating a comprehensive disability insurance system.

He said in his remarks in November 1987: "yet it is an idea whose time has obviously come," the creation of this kind of program. "It is clearly an idea that will allow for the compensation and rehabilitation of people who right now are not being compensated adequately and are not being given the kind of rehabilitation, the kind of help they need. I think it is fair to say," he went on, "it is an idea that makes the same kind of sense as workers' compensation itself did" when it was brought in in 1915.

I could not agree more with the Premier in the remarks that he made in 1987 and I would like, in my comments this morning, to set out why I believe we need this kind of program, second, to talk about several examples that have come to my attention in my own constituency, and third, to talk about the process that I am suggesting we might enter into if all members can see fit to support this resolution.

I think that when we look at the problem, it is interesting to note all of the different programs that currently exist through the federal and provincial governments. It is kind of an alphabet soup, if you want, a sort of patchwork quilt, whatever kind of metaphor you would like to choose. The

Canada pension plan is involved; you can receive disability help there. There are the provincial guaranteed annual income system disability allowance and the general welfare system. Private long-term-care plans exist. There are the Workers' Compensation Board, the Ontario motorist protection plan, unemployment insurance for illness, the Criminal Injuries Compensation Board and veterans' allowances.

All of these kinds of programs exist. They were created for real and good reasons and they do, in their own way, anywhere from perhaps an adequate to a good job of trying to provide help to our fellow citizens who, through no fault of their own—illness and some form of disability—require help.

The difficulty that everyone who has looked at this issue sees is that it is not connected, it does not all fit together. Increasingly, in report after report, governments have been asked at both the federal and the provincial levels to find some way to try to bring this together and to have a comprehensive plan which is going to ensure that people, wherever they are injured or whatever the source of the illness, are not going to be left poor and on, I suppose, the kind of heap of society where they can get very little help, and if they have families are unable to support them in an adequate way.

What are the specific problems then that this system, if you like, this patchwork quilt leaves us with? For one thing, it is the incompleteness of the coverage. We have to look at where the person received the disability. Was it at work? Was it off work? Was it in an automobile? When we do that, we see that there is a great deal of variety in what the possibility might be in terms of help that you may receive or, in fact, that you may not receive at all, and that your only resource may be going on the welfare system.

What about the benefit levels? Again, those vary dramatically. In a debate that was held in this House some two and a half years ago, when our colleague the member for Windsor-Riverside, now Minister of Housing, introduced a similar motion, it was noted that in several case examples where people had exactly the same kind of disability, the benefits they received were very different and clearly there was not a situation of equity and fairness. We need to look at benefit levels and ensure it is not just the cause of the disability or where it happened, but in fact what is the end result and what does that person require in order to be able to lead a full life. So the uneven, inadequate benefits; the benefit levels in terms of what program they are under; the lack of cost-effectiveness.

One of the other problems is that we have a variety of bureaucracies that are set up to administer these programs. There can be a great deal of overlap and when we look at the millions and, indeed, billions of dollars that we are spending in this country in some way or other to protect people, I think we have to look at how can we do that in a more effective way so that the money is going to the people who need it.



Finally, the kinds of services for disabled vary dramatically by program. People need help and that help should not depend on the kind of program that they are eligible for.

When I was looking at that particular issue, I was struck by an example of someone who had been to my constituency office in the fall. Her husband was in a wheelchair, and he had been able to get help for the purchase of the wheelchair and for a variety of other devices only so long as he was physically able to propel himself to make the wheelchair move. But as time went on and his disability became worse and he was no longer able to move the wheelchair on his own, through his own power, he then was no longer eligible to receive assistance under that program. Now, clearly, that does not make sense, and if members have not already had cases like this, I can assure them that over the next few years they will, and you sit there very frustrated in terms of knowing how to help.

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Another example, again in York region: A family, Mr and Mrs Jones, with two children, where both were hurt, and the catch-22 situation was that when Mr Jones's work—he was a labourer and he was not getting as much work because of the recession, but he was still making enough money that Mrs Jones was unable to get any assistance. This was having a dramatic impact on their own lives and their children's, and their children were now showing up requiring counselling and assistance within the school system.

When we looked at both of those cases, the people were straightforward, they were honest, they were not trying to rip off the system, but the system simply did not work for them. They fell between the cracks. I think the intent of this is to ensure that those kinds of problems will not continue to exist, that we can develop a system which will meet all of the needs regardless of where it happened or what the nature of the illness or disability is.

How do we go forward in trying to bring together this hodgepodge of different programs and set it into something complete? The former government, of which I was a member, had begun a fairly involved piece of work around this very issue, and indeed the Ministry of Treasury and Economics had been asked to begin preparing issues and options. I think the Treasurer would certainly know, and other members might be interested in finding out, exactly how far that work had advanced.

It is because of that that I believe, in the three months from now until the end of June, there is plenty of time to take all of that work and put it into a kind of green paper consultation document, issues and options, and to initiate a process. Not that that will be completed—obviously it will not—but the government can determine whether perhaps to give this issue to a select committee, to a standing committee, to a task force or even to set up a royal commission, because in the work that we were doing, we had plotted out that it would take approximately a year and a half to two years to complete that consultation process, which would still leave within the mandate of the present government to develop legislation that could then come to this House before the end of 1994.

There is urgency to this because as I said before, when we look at comments that we have all made in this House around these problems, we have been struck by the need to move on this issue. It is required, it is needed, it is doable, and there is an opportunity that is presented to us now to ensure that this goes forward. I think in the normal course of events, I would hope that all members could see fit not only to accept the principle that is set forth in this motion but also to accept that the time frame is reasonable, that a consultation document can be prepared and sent out within three months, and that what is being asked here is simply to initiate a process of broad public consultation that will take a good period of time to make sure that we hear from everybody.

In the final analysis, we will be helping the ordinary people of this province so that when they are injured or become ill, whether it is at work, at home, in the car or wherever, there will be in place a system that will ensure that they receive adequate and proper compensation.

I will be reserving some time for later.

**Mr Carr:** I want to compliment the member for taking the time to put together this resolution. I will speak on it very briefly.

I guess like a lot of us we have a lot of questions and I guess that is why we are going to be talking about doing some consulting on it. I think that is a good idea. Questions such as how much it will cost and how much it is going to cost to administer it I think come to mind. I think all members of this House know the WCB situation that is out there. Quite literally, our offices can spend up to half their days dealing with those problems. So anything that would work to improve the system I think would be very worth while.

The big question is, how does that get incorporated, and with that system not working well, how would this system improve it? I think, as members know, labour groups and business and everybody believes that there should be a lot of room for improvement with workers' compensation right now. So I guess the big question that would have to be asked as part of this consultation is, how is it going to work? We have all heard the gut-wrenching situations that come before us as a result of the workers' compensation program, and how we tackle that over the next little while is going to be a very critical question.

Again, I guess, as the Treasurer reminds us, the big question is one of timing. We are now in a situation where we have a \$3-billion deficit, and it may be higher. It would be interesting to see exactly how this would affect it. Would it be, as the member says, where we would eliminate a lot of the overlap and the patchwork and the duplication? If that was the case I think it would be good, but we must spell out very clearly how that would work, particularly in light of the financial situation that the province is in at this particular time.

I think one thing to bear in mind, though, is that you can right now get disability insurance on your own, although it is a fairly costly program and I think most people do not go and do it. I guess insurance is like anything else you never think about it until you need it, other than auto insurance, which is fairly high-profile now. So it would be



interesting to see how that would affect the private sector that is now providing some of the disability insurance and how we are going to have some of the programs work with our private sector. Many of us have worked in industry where we got disability insurance, and how we are going to incorporate that is going to be very difficult. Do those programs die as a result of this? Would it really be cheaper?

We are talking about a very complex situation. Because quite frankly, other than by talking to my wife, I did not realize that we sometimes do have disability insurance. When you start with a job, you do not get a chance sometimes to read all the brochures and so on, and many of us very often are covered and we do not even know it. My chief financial officer, my wife, keeps me very informed of that situation quite often, and thank goodness she is in charge of it. I think she would be a great Treasurer and maybe some day she will take over this seat.

But these are some of the questions that I think are very important and very critical because it is an extremely complex problem. When we talk about taking it out of general revenue, I think the people of this province are going to be very concerned.

However, having said that, I think we have programs right now that we have put in place—and I think a typical example of that would be the welfare system—where we put in place very well-meaning ideas, and we find ourselves now with the municipalities unable to keep up with their 20% share. So things change very dramatically and very quickly. Something that is a very worthwhile and excellent program, like our social assistance, we put in place and we say, “Okay, the province will not fund all of it; 20% will be funded by the municipalities.” Then whammo, when it goes up like it has, municipalities cannot keep up and they are facing some very dire, difficult circumstances. So when we put these funding mechanisms in place, we are going to have to be very careful to lay out very clearly the responsibilities.

I guess that gets back to the underlying question we talked about even in this House yesterday as part of the Constitution: How will these patchwork programs work? The money that is kicked in by the federal government, the provincial government, the municipal government—how will it work? I guess we will know very shortly who will have the responsibility for these types of programs. I know this program is very dear to the Treasurer’s heart and I know he has been pushing for it. It would be interesting to see some of his ideas and philosophies, because I know he has pushed for it in the past and I know the Premier has mentioned it as well.

How we put together this patchwork, I guess, is the most difficult thing. I have some very serious concerns about how that would work. I guess the reality is now that it looks like we are going to be pushing ahead with auto insurance. I think the Premier said as late as yesterday, that before the end of this session we will have an auto insurance program which presumably will talk about coverage. If we are going to push ahead with that, it would seem very strange if we were then to dismantle that as a result of having something along the lines of a universal disability

program. While it may be very well intended, if we were to do it we would probably have said, “Okay, let’s hold off on the auto insurance and take a look at this universality program before we do it.” Since we are not going to do that, I think it is going to be very difficult, and I would not suggest that we bring in the auto insurance, put together all the consultation that will need to be done in that area and then a year from now dismantle that and say, “Oh no, we’ve got this universality program.”

I guess that is the unfortunate problem we face here, that we put something in place and then we have to dismantle it. So I think it is very worth while to look at long term but, knowing the government’s agenda and the fact that it wants to bring in the auto insurance, I think it is going to be very, very difficult to do that. We can see how it is a very complex problem. I think the honourable member’s bringing this resolution forward is very worth while, because that is what we need to do. We need to start planning long term, rather than having short-term fixes, and I am in favour of that.

There are a tremendous amount of questions and unfortunately not too many answers, but I guess that is true not only in this area but in a lot of them. We look forward to spending some time, in the long term, analysing these problems and taking a look at them. As we go forward, these are some of my preliminary comments and thoughts on the program.

1020

**Mr O’Connor:** It is my pleasure to rise today and speak on this debate around the resolution presented by the honourable member for York North. I must ask why he has brought the resolution forward today, because he has had the opportunity to debate it and vote on it in the last Parliament. On 11 May 1989 the resolution was presented by the honourable member for Windsor-Riverside. It has been presented many times and voted down.

I am pleased that “that was then and this is now,” because we now have a government that is far more responsible. We have a cabinet that recognizes the need and has struck a committee of eight parliamentary assistants to look at the matter. The Chair of the committee is the parliamentary assistant to a long-time supporter of comprehensive disability compensation and now the Treasurer of Ontario.

The debate around universal disability insurance has taken place many times, and I have been led to believe that even more government studies have taken place in the past. What we do not need now is another series of studies, another review panel, another royal commission or to start another consultation process. What we need to do is wait for the parliamentary assistants’ committee to report to cabinet.

I found some interesting things in Hansard from previous debates. One member even stated in this House, and I found it quite interesting:

“At this point in time, there is no province in Canada that has a socialist government. I think that says something about the mood of the people of Canada, quite frankly.”



The time and the mood of Canadians have changed, and I am proud to be part of this first socialist or social democratic government of Ontario.

I am sure all the members of this House realize that if we had a system of universal sickness and accident benefits, many of the problems and inequities and the unfairness could be resolved. As a member of a trade union, Canadian Auto Workers, Local 222, I enjoyed the coverage of a universal sickness and accident benefits program that was negotiated at the bargaining table.

All too often, people living in this province have had to rely on unemployment insurance and, as a last resort, go to welfare. I am glad we have a committee looking at this serious situation.

One of the first things this committee will have to do is to find out how to organize the system and how the system is to be paid for, and it will have to look at the possibilities of assessment. The problem is very complex, and I feel the resolution presented here today puts an unrealistic time frame on this government for us to act in a responsible manner.

The member for Leeds-Grenville said in this House in an earlier debate that we must look at the overall impact, and I believe that the parliamentary assistants' committee is capable and will do just that. I believe the discussion should take place in a less partisan way, and I am sure those of the committee that has been struck will listen to the honourable members' comments, even the honourable member for York North.

It is unfortunate the member presenting this resolution today was not in the House during the last debate on this matter. If he had been, he might have been the only member in his caucus who would have stood there and voted against the resolution as presented in May 1989 during the last Parliament.

I am going to vote against this motion because I feel it is redundant when this government has already struck a committee of parliamentary assistants, representing so many different ministries. I am sure the government will act in a timely fashion on the resolution presented today, so I am going to vote against it.

**Mrs Sullivan:** I am very pleased to participate in this debate, and I want to congratulate the member for York North for bringing forward what I believe is an important and farsighted proposal that has been placed in a non-partisan manner so the issue can be considered on its merits and not on superfluous argumentation such as we have just heard.

I participated in the debate in May 1989 on a resolution of very similar content that was put forward by the now Minister of Housing. I believe that resolution would have passed this Legislature and action would have been taken had the resolution not been framed in what was an overly partisan manner. There was certainly support on our side of the House. This concept has had support in my party for many years and certainly it has had support in the government party for many years.

I believe members of this House should support the principle of this bill and provide all of the House the opportunity to explore the concept further. I do not think the

resolution should be set aside. It deals with issues of equality and equity. It comes to terms with a fundamental unfairness in how we treat people who are disabled, because right now we say it is not the disability that alters a person's opportunity that matters but how the disability occurred, whether it is on the job, at birth, in an auto accident, in a backyard, on a municipal street or being a victim of crime.

The future of people, the dignity with which they live their lives, their opportunity to share to their maximum capacity, is different and there is no logic to that difference. It is to our shame, all of our shame, that we have not dealt with this inequity in the past. The member for York North's resolution provides an opportunity for all members of the House to say: "That's right, there is inequity. Let's determine what we can do as representatives and as advocates to correct it." Let's look at how existing programs can fold in, whether they are auto insurance, private disability insurance, public support programs or workers' compensation. Let's look at funding alternatives, at the options of public programs, private programs or a melding of public and private mechanisms.

Let's look at how we can integrate into the same scheme people who have been forced to lose their incomes and people who never had an income. Let's look at how families can and should be treated. Let's look at how we can cut the costs of administration and the overlapping programs and put the savings either into benefits or into lowering the costs of coverage. Let's look at what specific services must be included and what services could be provided as options and how we can ensure that the person in Cornwall or Renfrew or North Bay can access those services as readily as people in Toronto.

Let's look at the economic consequences of a universal program, the impacts on the labour market, the GATT implications and the implications for our competitiveness. Let's look at the costs and the benefits. Let's examine whether one province can go it alone and how we can get the issue back on the national table, where it was when Marc Lalonde was Minister of Finance. Let's look at other jurisdictions—New Zealand, for example—where it is working, where it is failing, the salient features of other programs that have been put forward.

I believe that it is time for us to examine this issue in depth and that members should be singular participants in that. In the last debate, on the resolution of the member for Windsor-Riverside, I indicated that I was concerned about integrating workers' compensation into a social service network and that we ought to be careful not to confuse workers' compensation with the welfare program. That is not what drives workers' compensation. Over the past two years with my colleagues in my caucus we have been able to put more time in that, and I am now less convinced of the difficulty of integrating workers' compensation into a universal program.

I hope the members of the governing party will support this resolution so we can get to work on this. I urge those members of the government party not to get caught up on technical arguments. In terms of the change that could come about, it could be the single most important decision



that members will make while they are in this House and the single most important contribution that they will make to their families, their communities, their province and their country. I hope they will take the chance of making a difference.

030

**Mr Villeneuve:** I too want to compliment and congratulate my colleague the member for York North for his private member's bill. I want to put on the record a little bit of the honourable member's background. He actually got his start in politics as a civil servant working for the government of Ontario back in the days when there was a Progressive Conservative government in place, and he got some excellent training in the ministries operated by the Honourable René Brunelle from Cochrane North and the late Fern Guindon from Cornwall. With that kind of background he is excellent material for leadership of the Liberal Party, and I certainly wish him well. I hope he has more planks in his platform than he has presented here this morning, because I have some reservations about his private member's bill.

First of all, I believe he is trying to out-NDP the NDP. That may be a little bit difficult, but I think that is part of his mission here this morning. I think we have to explore to a great degree the suggestions of a universal disability insurance plan. It sounds great, but the former government brought in a support and custody branch with the Ministry of the Attorney General, and I have to tell members that I have had a lot of my constituents phone and express a great deal of disappointment with the way that branch of the government presently operates. It sounds good to the 99.9% of the people who do not use that ministry, but to those who have the opportunity of getting recorded messages upon recorded messages when they really want to speak to a real person, there is a problem, and to many of the problems that are faced by the people who are looking to have their support and custody requirements met, there is not an easy solution.

However, we have to speak to real people, address their problems and possibly find a solution. I am a little afraid that a universal disability insurance may wind up in that general, a grey area that says to those people who are not requiring the services, "The government has in place a mechanism to look after everything," until you have to deal with it and then it becomes very, very difficult. This is the kind of legislation I am afraid it might turn out to be.

Following the election, the Premier made comments that have caused some speculation. I believe the previous speaker from the government side, in saying he was not going to support my colleague's private member's bill this morning, effectively said, "Yes, we can be more left than this." That is fine. This is a social democratic government, and I guess that is its *raison d'être*. I guess we are going to see more and more of this.

My problem is that we have seen it to some degree with the previous government, the Peterson government, and I will cite some examples. Requirements were put on all of our school boards, without funding: "You will have class sizes no more than XYZ; however, no money." Or:

"You employers have to pay an employer's health tax of 1.95% of your payroll." We eliminate the universal requirement for premiums on health care, but who bears the brunt? The employers—municipalities, hospitals, school boards—through an employer's health tax costing a fortune, with no funding.

In 1985 this province had a 10% tax advantage over Quebec, and I come from a riding adjacent to that province. Now, a short six years later, we are in a deficit position of several percentage points. We are taxed more, as residents and business people of this province, than are our friends over in Quebec. I think it bears repeating that businesses will slowly, if not quickly, drift away from this province as we continue to nail them with higher taxes. We are now the highest-taxed jurisdiction in North America, and I am afraid this type of legislation would not at all alleviate or improve that situation.

I think the Premier was looking at a universal disability insurance program in conjunction with his proposed auto insurance package, and some of the deletions from cabinet we have seen in the last couple of weeks seem to match the puzzle quite well.

**Mr Owens:** Shame, shame.

**Mr Villeneuve:** Yes, it is a bit of a shame that it happened in that type of environment, and the real cause is still unknown as to why the former minister in charge of auto insurance was relegated to the back benches. He may have poor judgement, but surely that is not the only reason, and that question is still unanswered.

Unfortunately, the Premier provided little in the way of details for such a plan, and of course there is no known model for such a plan anywhere in North America or even anywhere in the world. Apparently, the Premier was inspired by a SARC recommendation calling for a universal no-fault insurance program for all Ontarians against all kinds of disabilities, sicknesses, injuries, etc. However, how this will be funded, how it will be looked after, is still an unknown quantity.

From the Premier's comments, it has been speculated that he is certainly contemplating such a plan and it is all part of the overall picture in replacing auto insurance compensation as we have known it and as we now have it with the former government's plan in place. The report was silent on how such insurance would be funded. One can only speculate. Drivers, of course, would contribute. Those people who are on salary would probably contribute in a direct or indirect way. And of course the employers, the corporate residents of this province, would certainly pay their share and likely more. Nothing comes free, and I am sorry to say this would be again a very expensive way.

There would be abuses. I say that as a person who has a large rural constituency. One of my major problems is with the Workers' Compensation Board, and there is no easy solution to that, as you know, Mr Speaker. You have constituency work as well and you could probably echo my very words. This is a non-political statement that indeed major problems are being faced by elected people in this Legislature pertaining to WCB.



A universal plan sounds great. However, there are the mechanisms. I hope that the sponsoring member, the member for York North, will explain further how the cost would be borne, by whom. That is of great concern. We cannot continue to punish the residents of Ontario, the businesses of Ontario, for social programs that sometimes are abused.

**Mr Hope:** Just looking at the resolution in itself, in part it is an excellent resolution. It has a downfall, though. There is a time frame that is put forward in that resolution dealing with universal disability. It is a key thing that I share some of the concerns the member across has raised about people coming into our offices who have fallen through the gap, people who question whether a paycheque was going to be in their hands by next week or not. The ability to make payments on their mortgages or put food on their table was a big question. These were challenges that I as a person in my previous life was faced with from most sectors that were around us.

As we look at the universal disability compensation system, insurance program, it is an excellent idea, I feel. As a member of the committee which was formed by this government made up of parliamentary assistants, we have sat down since November examining this issue, making sure that we put a clear focus, a clear vision in what we see and how we can fund it.

1040

Some of the questions that have been put forward today are some of the major questions we must address. There was the issue that dealt with the disabled, those who fall through the gaps, those who have maybe not purchased private insurance. These are the things that we must address. I reflect on this issue for the simple fact that most of us who are male and have wives who may be domestic engineers with no value put to their job as far as a paycheque is concerned, when a disability occurs to that person's spouse, it causes large financial difficulty for that family to maintain that service that domestic engineer has provided for us. These are some of the questions we must address.

Looking at the time frame, it is one of the major important things. It wants us to move very quickly, but quickly leads to error, and as we talk about the workers' compensation system or we talk about the Ontario motorist protection plan, just in those time frames, the changes in Bill 162 and the new legislation dealing with auto insurance, we have seen the problems. We have to correct the problems in making sure of the proper system, making sure that the funding mechanism is there and making sure that for those who deserve the funding, compensation is consistent in their homes and for them. We must make sure that we have it.

The unfortunate part today is that the Chair of the committee, because of prior commitments dealing with his riding, which is a major issue, is unable to be here today, but I want to emphasize that he shares a lot of the same concerns that I do. As a person who sat on the other side knocking on politicians' doors before, looking for a fix to some of the gaps that were there, we are doing that. We are

moving, and we want to make sure that we move in a clear vision, a clear focus for the people of Ontario to make sure that the funding mechanisms, the concerns under workers' compensation, the concerns that lie around, are well addressed and clearly addressed.

I want to thank you, Mr Speaker, for the opportunity, and I will be voting against it for the one major reason of the June time frame that is put before us.

**Mr Offer:** Let me say at the outset what a pleasure it is for me to take part in this debate on the motion put forward by the member for York North, and indeed to carry on the remarks not only of the honourable member but also of the member for Halton Centre. Let me indicate that I speak in full support of this motion, and in the time permitted to me I would like to explain why.

We must recognize in this Legislature that there are a number of programs in existence designed to compensate for a variety of reasons. We have the automobile protection plan, the workers' compensation system, we have the Gains program, the Criminal Injuries Compensation Board. We have programs on the basis of private plans as well as plans as the result of collective bargaining, all plans designed in part to compensate for injury, a variety of injury. Each of these particular models runs separately. Each has its own system of delivery and its own eligibility criteria.

We must recognize that, even with this myriad of plans, not everyone is covered. Not all injuries are those which result in compensation, and as a result, disparities or inequities occur. Benefits are different.

We must recognize, and I am sure everyone in this Legislature recognizes, that where injury occurs, there is in many cases a pain to one's family apart from the injury, however occasioned, which has occurred. It is a real pain, it is substantial, and I believe that if there is a method to address this terrible hurt, this way of injury to one's standard of living, then we as legislators have an obligation. Indeed, it is our responsibility to address the matter.

In that respect, I take note of the comments of the members of the government side, who have today for the first time indicated that there is a parliamentary assistants' committee designed to address this issue. We have not seen this type of committee. We have not seen the mandate for the committee. We have not seen the timetable for the committee. May I state that it is our responsibility as legislators of this House to address this issue and not just one clique in terms of government members.

Many have spoken about the cost of such a program. It sounds like a great deal of money. What is the cost and who is to pay? These are valid questions. I believe that it may be the case, a suspicion, if you will, on my part at this time, that with a program, the principle of which is embraced in the motion by the member for York North, potentially more people will be covered, more injuries compensable, and that indeed it will be done in an efficient and an economical way.

It was only yesterday that the Premier, in his speech to this Legislature on the Constitution, spoke to an issue of division of powers. He spoke of what municipalities in an increasing way are referring to as disentanglement, of taking



look at what is provided by whom. Is that done in the most efficient and effective way, of potentially disentangling that which has happened and rebuilding? Is that not indeed the principle under this particular motion?

Let us take a look at the different forms of models for which compensation is provided. Let us see if it is done in the most effective, efficient and economical way. Let us see, by virtue of potentially disentangling those particular programs, that we can rebuild into a single program which will bring in more people, more types of injury and deal with it in an economical and efficient manner.

We as legislators, and not just as a series of eight parliamentary assistants, should not be afraid to investigate this area. In fact, as legislators, as members elected to this particular Legislature, we should be enthusiastic in approaching this issue.

Finally, in the area of consultation I note with some dejection the comments made by the member for Durham-York and the member for Chatham-Kent as to the time frame. They do not like this motion because of the time frame, being June of this year. Consultation is a necessity: consultation with labour, consultation with business, consultation with municipalities, consultation over the principle, consultation over the issues and how those issues can be addressed. To say that they will vote against this motion on the basis that the consultation is to take place by the month of June is, I say, to deny the particular principle.

The Premier has spoken in glowing terms of a committee dealing with the Constitution. I see that the Chairman of that constitutional committee is here today and the Chairman will know that we will be dealing with matters of re-Confederation, of a variety of issues and implications, such as economic implications, on different forms of powers and redistribution of powers, and we will be reporting by the end of June of this year.

Surely if it is good enough for a select committee on the Constitution to address these very complicated issues, and to be doing so with the support of the Premier, then members on the government side can embrace that form of consultation and have this particular motion and these particular issues dealt with by another committee of this Legislature, again reporting back to this Legislature by June of this year. It is no excuse to say that consultation cannot be effectively done by June. If it is enough for this constitutional committee, it should be enough for the principles embraced in this motion.

In closing, I support this motion. I support the good words of the member for York North and the member for Halton Centre in terms of the need to address a demonstrated need, to do so in an efficient, effective and economical manner and to do so in the spirit of consultation.

1050

**Mr Perruzza:** I rise today in support of the resolution by the member for York North in principle, and I support the idea and the concept of universality and universal insurances on many fronts.

When you look at the current system, as the member accurately outlined a little while ago in his speech, there are a number of existing programs which are currently on

the books which, quite frankly, are not working very well. I am afraid that holes are being punctured in the armour of those programs and you have the blood of victims and their families gushing through. In some way we have to move to seal those gaps, to link the cracks and some of the programs. To reiterate, we have the Workers' Compensation Board, CPP, no-fault auto insurance now, the Criminal Injuries Compensation Board, unemployment insurance, private long-term disability insurance and so on. The list goes on. As the member indicated, we have uneven access to cash benefits in those systems. Coverage depends on cause and degree of disability, labour force participation, whether the employer provides long-term disability insurance or not, replacement rates, earnings ceilings that vary from program to program, and the list goes on and on and on. I think that at some point we as a government and as a Legislature—I would hope this is a non-partisan issue—must move to revamp the system.

However, I regret that what we are doing here and what this resolution does in fact is it plays politics with the lives of people. I think that we have a government here—I am certainly going to support this resolution—that could support it overwhelmingly. However, the time lines that have been established by the member for York North's motion are unrealistic on a number of fronts.

My colleague to the left indicates that my time is almost up and I suspect I could speak for several days on this particular subject. I will wind up by saying that I regret that we are playing politics with this issue. I am going to support the resolution and I suspect that a number of my colleagues are inclined to do the same, but I think that their reservations are going to be very similar in nature. There is a structure in place now to look at this in a comprehensive, long-term way and I think that we would do well to move in that direction.

I would like to indicate and clarify something that one of the honourable members opposite, the member for Halton Centre, indicated. She talked about the member for Windsor-Riverside's resolution here some time ago in the House. She was on the government side of the House when the member for Windsor-Riverside talked about universal disability insurance. The member for Halton Centre voted against the member for Windsor-Riverside's motion at that time and it struck me that she brought this up in her own discussion here this morning and I find that a little awkward. I cannot help but reiterate the line that they have been tossing at us for a number of weeks now: That was then, I say to the member for Halton Centre, this is now.

**Mr White:** I am pleased to be able to speak on this resolution. Prior to becoming a professional social worker, I worked in welfare myself. Daily I saw the pain and humiliation that disadvantaged people who were disadvantaged because of accident or illness were forced to endure. Much of that humiliation was produced by the gaps in our social support system.

There were different eligibility criteria for the Canada pension plan, for workers' compensation, for unemployment insurance, for long-term disability, for auto insurance, for Gains-D. Injured workers and disabled people in general were put through more hoops and had to know more about



legislation and regulation; they had to know it backwards, forwards and sideways. Having suffered a disability through illness or accident, they then had to face the humiliation of not being able to support themselves or their families and had to apply for welfare because those other programs were not accessible. On top of that, they had to prove to some bureaucrat that they matched that program's criterion. The program was not designed for them. It was designed for itself.

Whether that program was provincial, federal, municipal, public, private, out of the whole panoply of them I began to think that there was a reason for this multiplicity of programs. Perhaps there could be some real financial savings if we had programs that were not accessible. The more difficult it is to access a program, the more likely it is that injured or disabled people will just give up and fall back on welfare assistance.

That was the situation almost 20 years ago. I cannot say it has substantially changed since then. The SARC report indicted some 30% of the GWA and FBA case load is made up of the disabled or the ill, more than 100,000 cases in this province.

I know that the member for York North was a concerned and capable minister and I am sure that he tried in the last two years of his government to implement a universal disability program. However, my friend the member for York North was unable to effect this program or to demonstrate any evidence of any intent from his government to effect such a program. We have heard about many very progressive pieces of legislation that were going to be forthcoming. We have not seen any evidence of them in the last five years. I am sure that he must have been very frustrated. His colleagues were not willing or able to support him at that time. But this is now. Now they are willing to support him. I am glad to hear that they have become increasingly progressive since last September.

Now he wishes to establish an agenda for us, a timetable for us, a structure for us to—

**The Deputy Speaker:** The time has expired. Thank you. The member for York North.

**Mr Beer:** In the time left I would like to comment on some of the things that have been said in the debate, but I would at the outset like to thank all the honourable members for participating and for a number of the questions that have been raised, which I think are very legitimate ones and in terms of the process I am talking about would be important to be reviewed and examined. That is one of the points behind this particular resolution. But I want to say to the members opposite who have concerns about the time frame that I think there is, quite frankly, some misunderstanding of what it is that is being suggested in my motion.

Let's go back to first principles and remember why are we putting this forward in the first place. Quite simply, it is that there are too many disabled and injured people in this province, as has been said, who have been denied critically needed benefits because what we have got is a patchwork quilt. What we are trying to do here is to make sure that people do not have to live lives of poverty and desperation, that we can actually do something, begin a process that

within the mandate of this government is going to see a real change in the system we have.

We know that we are spending something in the order of \$6.5 billion in this province on various disability programs. We agree that is not good enough, that there is overlap that is poorly administered. We have got to bring that together.

The fact that it is part of a previous government—we did not do everything that we might have wanted—I think is irrelevant. The point is that now we have this issue before us we have an opportunity to go forward.

On the question of process, members should read the motion very carefully. It does not say everything is going to be completed by the end of June. In point of fact, in Treasury—and I urge members to go to the Treasurer—the documents are there, setting out a time frame of approximately two years for a consultative process that ends in legislation before the government mandate is up. What I have asked for here is to initiate the process.

The government tells us there is this parliamentary assistants' committee, a committee that I think few in this province have ever heard of. As my friend mentioned, if the select committee on Ontario in Confederation can deal with those issues and make a report by the end of June, surely the parliamentary assistants, together with Treasury, can get out before the end of June an issues and options document, not a full-blown government policy but what are the issues, what are the options, mentioned by my friends in the Conservative Party as well as on the government side and here, questions that we need to ask. That can be done. Then the consultative process begins. This does not say it is the beginning and the end.

It is a red herring to say the time frame is leading members opposite to vote against it. I have to ask members opposite, when they look at this, are they in favour of the principle? This parliamentary assistants' committee has been in existence since November. Surely it is within the intelligence of the government to put out an issues and options paper and begin a consultative process. That is what this motion is asking for. If they vote against it, then it is they who are playing politics with this issue and playing with the people whose lives are affected.

The principle is clear: There is a process and it is private members' hour. Members opposite do not need to listen to the whips. They are free to vote as they wish in private members' hour. I commend my colleague the member for Downsview for having the courage to do that. I urge the rest of the members opposite to do it, because they support the principle. The time frame is adequate. Together we can do this. Let's start something now.

1100

#### REPRESENTATION AMENDMENT ACT, 1990

Mr Villeneuve moved second reading of Bill 31, An Act to amend the Representation Act, 1986.

**Mr Villeneuve:** I do not think this will create a great deal of controversy, but it has to go through the normal channels, and this is part of it. Simply put, Bill 31 is to change the name of the riding I very proudly represent from Stormont, Dundas and Glengarry, which is a very historical part of eastern Ontario, to S-D-G & East Grenville.



Under redistribution of 1986, the riding I proudly represent was expanded to include approximately the eastern half of the county of Grenville. In this very proud area we have five municipalities with a total population of 14,560, or approximately 25% of the entire population of the riding I represent. We have the second-largest town in the riding, Kemptville, a very progressive town known for the Kemptville College of Agricultural Technology; it also has the eastern headquarters for the Ministry of Government Services. The Ministry of Natural Resources plays a very important role in the management of natural resources in eastern Ontario. Of course, we have the Kemptville District Hospital and a number of other very important aspects, making it the second-largest town, with a population of almost 2,500, in the riding I represent.

The village of Cardinal, almost 1,600 in population, is the home of Casco and Best Foods, sometimes referred to as Canada Starch, the major employer in that town and a major processor of Ontario corn. Certainly those people, I think, have to be recognized in the name of the riding.

The township of Edwardsburgh is largely a rural municipality, very important to the economy of Grenville county, and indeed its present reeve, David Sloan, is the warden of the united counties of Leeds and Grenville.

South Gower is a smaller rural municipality, some 1,600 in population, rapidly growing and presently welcoming many people who are employed in the city of Ottawa but who travel south of the Rideau River to call South Gower their home. Likewise, there is the municipality of Oxford-on-Rideau, expanding very rapidly along the shores of the historical Rideau River, with a population of some 4,600 and one of the more rapidly growing areas, not only in Grenville county but in the riding I represent.

As members see, it has been very difficult to explain to the residents, 25% of the people that I represent, why the name of East Grenville has not been included in the riding name. I have tried on different occasions to have the name changed. Initially it was to be known as Stormont, Dundas, Glengarry and East Grenville. However, in the interest of brevity that particular name was considered to be too cumbersome and too long, and I understand that.

Without belittling the great and historical riding of Stormont, Dundas and Glengarry, often referred to—probably more often than not—as SD&G. Incidentally, this is the plaid of the Stormont, Dundas and Glengarry Highlanders. It is the Macdonell of Glengarry—a fighting unit very highly recognized for many years. They were affectionately referred to as the SD&G Highlanders, and when I say “affectionately,” sometimes they would be SD&G as for “sand, dust and gravel,” but that was always in a very loving and joking way; they were known as one of the best regiments in the area.

It is always intriguing when I tell people who visit eastern Ontario—the riding stretches from the Ontario-Quebec border to the town of Prescott—on your mileage odometer you travel about a third of the distance to Toronto, in the riding I very proudly represent, as you come in from Quebec and travel to the outskirts of the town of Prescott. We are very proud of the fact that Ontario history effectively began in that area of the province. It is certainly

the home of many United Empire Loyalists and many, many people of French background who came from Quebec 100 years ago or so to make their home in eastern Ontario. We have the united counties of Leeds and Grenville, immediately west of the united counties of Stormont, Dundas and Glengarry, and of course the united and historical counties of Prescott and Russell, represented by my colleague over here, effectively north of Highway 417.

Two very major arteries run through the riding I represent, Highway 417 and Highway 401, and we are fighting very hard to have Highway 16 twinned into a four-lane highway. According to the Ministry of Transportation, this will be occurring, hopefully, before the turn of the century. Indeed, from the south, from the Johnstown Bridge to the nation's capital, we will have a road worthy to be the main artery leading from the United States to the capital of Canada.

1110

I will have the opportunity of replying to some of my colleagues but, in speaking with them, I have found there is very little opposition to changing the name of the riding I represent. I realize it will be the first time—I believe the first time—that initials will be utilized. However, I want to touch on another subject that is part and parcel of the redistribution. I represent a large rural riding, as do many elected people to this Legislature. There are 23 very active municipalities in the riding I represent, and under redistribution the criterion was that we were aiming for 74,000 of population and we would allow 25% variation either way. When you are dealing with a large rural area and your largest town, as in my case, is the great metropolis of Alexandria, with 3,300 people, and the second-largest is Kemptville, with some 2,500 population, it takes an awful lot of rural routes and small towns and villages in rural Ontario to get to your required population base.

I firmly believe that prior to the next redistribution we will have to look at and designate certain ridings as rural, because if we continue to try and meet a population criterion we will effectively have members running large and vast geographical areas trying to satisfy the population requirement and in so doing reduce effective representation by the person who is here at Queen's Park. Members have to remember that I am four and a half hours away from my home; whether I travel by car, by train or by plane, it really does not matter a great deal. It is that kind of time frame that you need to get from Queen's Park to my home, which is quite centrally located within the riding I represent.

I know northern Ontario has a criterion that meets some geographical, commonsense issues, and I think we have to look at that in the rural areas under any new redistribution. The population criterion would either be different or there would be some sort of commonsense approach that says, “An individual member of this Legislature can only service a certain-sized area.” I think that has to be incorporated. I would strongly support any legislation which would recognize our rural agricultural areas as areas that would be treated somewhat differently than the sprawling, rapidly expanding urban areas which can meet population criteria quite quickly.

I will reserve the rest of my time to reply to my colleagues, and I fully anticipate that they will be supporting



my private member's motion and that before the Legislature recesses in June, the great riding I very proudly represent will be known as S-D-G & East Grenville.

**Mr Owens:** I proudly rise in support of the honourable member's motion. On 18 December 1990 the honourable member for Stormont, Dundas and Glengarry presented private member's Bill 31, requesting that the name of his riding be changed from Stormont, Dundas and Glengarry to S-D-G & East Grenville.

I believe every sitting member recognizes the significance of his own electoral district and believes the name of that district should reflect the geographical area. The electoral district of Stormont, Dundas and Glengarry did in fact reflect the riding's geographical boundaries until redistribution in 1987. At that time the riding was expanded to indicate the illustrious area of eastern Grenville county. It seems only appropriate then that after the redistribution of 1987 we should include this new area in the electoral district name. But electoral district names can become unwieldy in length. Since this new district of the honourable PC member seems far too long to manoeuvre verbally, let alone to be used on letterhead or business cards, it seems most appropriate to use abbreviations.

The honourable member, I am sure, after a great amount of consultation, came up with the most appropriate name for his electoral district: S-D-G & East Grenville. Some wags have taken to describe the new electoral district, S-D-G, as sand, dust and gravel. However, personally I believe and I take it to mean strength, determination and generosity.

I would like to take a moment to talk about a family living just outside of Cornwall. The family members are, of course, constituents of the honourable member. Maurice and Theresa Gagné are probably two of the most generous people I have ever had the pleasure of meeting. Their daughter, Manon along with her husband, Roy, is a constituent of mine. I can tell members that the values of hard work and generosity have been successfully passed down to the Gagné children. By the way, Theresa Gagné has a sparerib recipe that would knock the socks off of any rib lover.

The honourable member once related to me a story about two other constituents of his who were having difficulty during these terrible economic times. One was a furniture store owner and the other was in sales of another kind. Because sales were slow for the purchaser of a suite of furniture, she was unable to make payments. Again, because of the generous nature of the honourable member's constituents, the customer was able to keep the furniture and the store owner was able to keep a customer.

I would like to return to a more historical context. The honourable member has told this House of the historical significance of using the initials of the three large cities. Back in the days of wartime, Stormont, Dundas and Glengarry had the SD&G Highlanders, who proudly wore the Macdonell of Glengarry plaid as their fighting colours. I would like to point out that the honourable member is wearing a tie of those very colours. To this day the initials SDG are recognized as those of the county, and it seems

quite logical, and certainly less cumbersome, to change the riding name and use the letters SDG.

Located in the most southeasterly section of this great province, this electoral district should include in its name the 14,568 people who live in eastern Grenville. Indeed, I am sure the noble citizenry—pardon the pun—of this section of town feel quite strongly about the importance of a name change to reflect their geographic identity. Certainly the honourable member is doing his duty by proposing to this House, in the form of a private member's bill, this important name change.

Sometimes in our overspecific language we leave out important aspects of our society. We have now recognized that as being important. I think the Premier's speech last night wants us to recognize that this is a society of inclusiveness rather than of exclusiveness. The current name of this electoral district is overspecific and therefore excludes the very important area of eastern Grenville. This is just as inappropriate, as I am sure the honourable members would agree, as using sexist language which excludes 50% of our society. Indeed, we have learned the mistakes of our language and that language is important and does convey messages and does reflect on our views of society. Only we as citizens and individuals can work towards using language that is inclusive. Of course, this will be again reflected in the change of the name of the electoral district to accurately reflect the geographical area.

In closing, I would certainly like to commend the honourable member for requesting a name change and hope that his private member's bill can be passed expeditiously.

1120

**Mr Elston:** As unaccustomed as I am to speaking in the chamber, I would like to join the discussion today on the change in name of this particular electoral district. I note with some sadness that we will lose the designation of Stormont, Dundas and Glengarry as part of the formal electoral district name. I have nothing against the short form, because it has been often used, and I am sure common parlance locally is to use SDG to help people who want to get to the point of their arguments much quicker so they do not have to wrap their tongues around all three names.

But I think it comes as a great surprise for those people looking for the continuity of a term, which appeared in the gathering places of Ontario since the early part of the 1800s, that as of the passing of this act there will be a passing of the words Stormont, Dundas and Glengarry into a sort of antiquity. I know the reference to the area is still there by the use of the short form, but my experience has been and the experience I think of all of us in general is that once you remove the names there is a removal and a loss for all time of some of those traditional thoughts associated with those names and, of course, what proud history that area has always had.

The history of it has been well studied, I am sure, by most of us as youngsters, as we grew up through a system of education that spent, in the early days of my education at least, somewhat more time on the historical evolution of our province—maybe not as complete as it ought to have



een, but I think it was more complete in some aspects of our history than we now see our youngsters being exposed to.

There is for a number of people a problem with becoming familiar with all of Ontario's history, but at least when you go through the list of electoral districts you can follow the historical derivation of a lot of the social context within which we currently find ourselves. Take a look, for instance, at some of the ridings here in the city of Toronto, in Metropolitan Toronto. You will note there is a designation of those electoral districts along the lines of the old villages that used to be here. If you go up and down the subway stops, you will note that the stops are Davisville and St Andrew and St Patrick and a whole series of other designations that talk about the old central focuses of settlements in the days gone by. The effort there is quite clear, that it is necessary and proper in a modern society like ours that we leave the signposts that helped us get to where we are going.

The people who live in Riverdale or who live in the Beaches or who live at Woodbine were quite correct when they decided, honestly and up front, that it would be in the best interests of their areas to preserve their history by preserving the full name of the villages in which the initial early settlements occurred. What great history the Beaches has in Toronto, for instance. What great history there is in High Park. What great history there is in so many other of the centres in Metropolitan Toronto as the sprawling growth has taken over those small villages and has consumed them into a larger existence.

I know the member for Stormont, Dundas and Glengarry. If this bill passes, obviously this will be about the last time we will refer to him that way in this House, at least after we get the third reading; it will be no longer the member for Stormont, Dundas and Glengarry but the member for S-D-G & East Grenville. I know the member says it is the same thing, but for the people who used to be interested in hearing Stormont, Dundas and Glengarry, we would hear it no more officially here in this forum.

I am not trying to make anything out of it except to express my concern about the historical loss. The member himself spoke about the need to protect the representation of areas with substantial historical significance in the evolution of our history. In fact, they have played a great part and a great role in the development of Ontario's fabric in Stormont, Dundas and Glengarry, but from now on there will be no more Stormont, Dundas and Glengarry electoral district; it will be S-D-G & East Grenville.

If we are to prevent the overrunning of our history, if a person finds it too long to have Stormont, Dundas, Glengarry and East Grenville in the electoral district's name, it would seem to me preferable to have left it Stormont, Dundas, Glengarry, East Grenville for the documents. Some people say that is going to take up too much space on the letterhead. God knows, as members of the Legislature we put all the stuff we can pack into that top inch and a half or two inches anyway. What is the difference? What really is the difference?

I guess it is difficult to put all those typesettings on the documents, but could we not have left this as Stormont, Dundas, Glengarry, East Grenville for the purposes—

**Mr Villeneuve:** I tried, and the Liberals said no.

**Mr Elston:** No, I understand what the problem is; I am merely expressing what I believe to have been the right way for the member to have gone. If I had known this was taking place—I apologize for not having known, but I have never talked to the member, prior to my current position, before on this matter. But as a person who studied history—

**Mr Carr:** You never talked to him because you were in cabinet.

**Mr Elston:** No, it is not true. The member for Oakville South indicated that I never talk to him. Certainly, I never did talk to him during my cabinet time; he is a recent arrival. But I used to speak to his predecessor, and I would have, if I had known, been glad to speak to the member for Stormont, Dundas and Glengarry about this, because as a person who has studied history I have some sense of the loss that will come when you submerge the name for the purposes of some practicality, and we, for goodness' sake, are submerging so much of our history these days for the purposes of practical problems that we ought to do everything we can to strive to protect the integrity of the names that are great signposts of our past.

I know the member spoke about the fact that we said it was too long. I presume that probably where that came from was the fact that people who had to deal with this in typesetting said it was too long, as opposed to the Liberal government, which the member is trying to make a little political hay from.

**Some hon members:** Shame, shame.

**Mr Elston:** That is what he said it for. Listen, the guy is a very good politician. He knows how to campaign. In fact, I remember campaigning in 1984 in Stormont, Dundas—

**Mr Villeneuve:** In 1983.

**Mr Elston:** Sorry, 1983. Maybe I was late; maybe that is why they lost. I remember campaigning there in December 1983 in the middle of a snowstorm, and it was obvious that the member for Stormont, Dundas and Glengarry was a very capable and very fine individual. I was campaigning in Winchester on the back streets, talking to the local citizenry, and started out in full sunshine, a rather cool day—warm at the door; cool from a climatic point of view—but by the time I went no more than about an hour on the streets there, the member-in-waiting had arranged to have it snowing so hard we could hardly see from the sidewalk to the door handles. That probably explains why we lost Winchester in that by-election, in which the member with the name Villeneuve replaced the former member, whose name was also Villeneuve. I am sure that was merely a coincidence.

I should say, by the way, speaking to this, that the proud history of Stormont, Dundas and Glengarry had attached to it the name of another Villeneuve, who was there for a considerable length of time. Osie Villeneuve, as some



of you know, really spent a lot of time there. Actually, he was provincially elected, then went in elected federally, and then came back and served provincially, and in fact sat where the member for Wentworth North now sits. That seat was permanently, almost, assigned to Osie Villeneuve. He served his constituents well and knew the constituency remarkably well. There was little question whatsoever about the outcome of any election, even if he were 10 years down the road from it, because that particular Mr Villeneuve was well respected.

I might say in a moment of charity—or is it generosity?—that SDG is equally well served by a gentleman who is also well known. I know it was merely a coincidence that they found another Villeneuve to replace Osie.

While I am speaking to this and the historical nature of the changes to come by the change in name, I would just like to say to the family of the late Osie Villeneuve that, although we like the current member, we likewise miss the sage advice we used to receive from a man who had a bearing which was semi regal, I guess, in nature, and who was a good friend to a lot of new members around this House, just to deviate for a moment to that point.

1130

I do really want to say that I understand the reason this is happening, but I regret that historically those words will disappear. I know that what the gentleman from the New Democratic Party was trying to indicate were some of the characteristics of the people from that part of eastern Ontario, in a way which I think underscores the characteristics that go with a lot of the people who reside in all parts of the province. But the mere use of that as an example, I think, leads me to believe that when we are not here as a generation, and when we are not able to tell others in the debates that the electoral district of Stormont, Dundas and Glengarry is represented by someone—in this case Mr Villeneuve, who will be there for a long time probably, at least until I show up on time for the next by-election, or whatever, who knows—but we will no longer be able to say what SDG means.

He will, when he is making his speeches. The people at the electoral commission will refer to it as SDG. Those people will know it as S-D-G—and East Grenville, just to finish it off. The people who do all of the administrative activities and the people who write all the books about S-D-G & East Grenville will probably not refer back the way we could with our memories to the days when it was Stormont, Dundas and Glengarry.

Our signposts in history are so necessary to ensure the preservation and protection of our culture, of our heritage, of the understanding of the evolution of our social thought and thinking. These electoral district names are only really a determination to preserve the history in a way in which people who have no connection from a chronological point of view with the area can understand the existence of that part of our history in a real fashion.

There is another of our colleagues who wants to speak on this. I just wanted to put that on the record. I know the local member will keep it high in priority when he is speaking. There is a member to come after him, as there will be a member to come after each of us, and there is a

member to come after that and after that. I think the first step to preservation, as is well known in other places, is to ensure that we do not drop any of the signposts of our past. I just want to warn us about that. It happens so quickly.

**Mr Carr:** I will very briefly speak in support of my colleague. I have a similar situation in my riding; a portion of my riding falls into the Burlington area. It is ironic how important the name of the riding is, because when I was out canvassing in the last election campaign there actually were some people who said they do not vote because of the name change, that they do not feel they are a part of Oakville South, having lived in Burlington. Of course that is done because of the redistribution and trying to keep the numbers fair, but the people think of themselves as part of the Burlington community, not the Oakville community. It has been a very difficult task to get them and incorporate them into feeling a part of my riding, so I can appreciate how important this matter of a name change, which we sometimes think may not seem too important, is to the very people who are out there.

I would like to support my colleague in his move to change that as a result of that, because I have seen first hand in my riding some people who are saying to me: “I don’t feel a part of it. I feel left out.” Even when newsletters or householders go out and you have to put Oakville South on it, we still get calls saying, “What about the Burlington portion?” I have taken now to putting on the letters I send out “Oakville South,” and also saying to the people “Burlington southeast,” because it is a very difficult situation for those people who do not feel a part of the riding.

My colleague who represents the Burlington portion in Burlington South has done everything he could to try and work with us, because what happens is that it is so close that a lot of people, because they live in Burlington, will call his office rather than calling my office because they feel a little left out. There are a lot of things we need to do, and I am in the process now of trying to figure out a name change. We are fortunate. The previous speaker talked about the long tradition. Our tradition has not been as long, but it is very difficult, because there are some people who want to keep the name and it is very difficult to come up with some type of name that will keep everybody happy.

I think even my predecessor, who was mentioned earlier, had sent out in one of his newsletters a flyer to try and change the name and asked for comments; so many came back that it made it very difficult. So when we are looking at making a name change like this, it is a very difficult process. I know the member in doing this took a great deal of time to get a lot of input. I would just like to say that I can sympathize with him and will be giving him my support.

**Mr Klopp:** I rise at this time to say that I fully support the honourable member for Stormont, Dundas and Glengarry in his name change. I surely realize that he has taken the time and the effort to know that this change is something that is needed. I am sure he has taken the time back in his riding to talk to everyone and to make sure they understand it.



He also took the time to comment on the issue of rural distribution. I am glad he took the time to talk about that because it is a concern I also have. I would like to say that if we can work together in making sure that rural areas are represented—I am sure we all realize that rep by population was a good thing that was started many years ago, because if we look back in our history it was abused by people who had, maybe, very distinct political ideas. I am sure none of us wants to get away from that, but at the same time, times change. In an open consultation of all people in this room and the people who are concerned, I am sure we can come up with some changes which still allow the representation of democracy, because that is really what we are talking about. I say very openly to all members who are concerned about that that I am too, and if we can get together and work at that over the next four and a half years, or sooner if we can, and come up with some ideas, I look forward to that. I hope today that this bill passes as soon as possible.

**Mr Beer:** It is a pleasure to join in this debate. I think it raises one of the questions for a number of us, in terms of how we go about ensuring that what our riding is called relates back to the community we live in. I want to refer to the comments made by the member for Oakville South because I think particularly in areas of what we call fast growth and the way boundaries change, the names of those ridings, which are often geographical—north, south, east, west—can then cause problems in terms of people feeling included or excluded.

I have always been in favour, where possible, of trying to use historical references for the names of ridings. For example, my riding is York North. There is a federal riding of York North, and there is a municipality called North York, and I cannot begin to tell members the number of letters I get addressed to Mel Lastman, the mayor of North York. I do not mind getting those letters, but it seems to me that there is some confusion here. As members will know, William Lyon Mackenzie, the night after the great revolt, actually spent the night in my riding, and I have always thought that perhaps the best name would be York Mackenzie. Perhaps some day that is something I would want to bring forward.

One of the things when we are changing riding names, though, is that it is important that somehow people in that riding are able to participate in the discussion. In the normal course of events if we were going through changes in names, there is a consultative process. I think it is important when we are concerned about people being involved that we keep that in mind so changes really do reflect the will of the people in that particular riding. But the historical aspect of it is important and one we should keep in mind.

**Mr Runciman:** I appreciate the opportunity to participate in this debate as well, in support of my colleague the member for Stormont, Dundas and Glengarry—soon to be S-D-G & East Grenville, for a whole bunch which I will try to elaborate upon.

I want to make a few brief comments at the outset, though, with respect to some of the things that were men-

tioned by the member for Bruce, a good friend and someone for whom I have a great deal of respect, talking about Osie Villeneuve. Both he and I had the opportunity to serve with the late Osie Villeneuve for a couple of years before his passing. He was a fine gentleman and certainly helped the newcomers to the Legislature in that period of time. His wife, Alma, is a grand lady and is still living and going very strong in the community of Maxville.

1140

But I want to take this opportunity—we do not have too many opportunities like this—to say a few things about his successor, the current member for Stormont, Dundas and Glengarry. I have had the opportunity of serving with him for something going on eight years now, and we feel fortunate to have him within the Progressive Conservative caucus; he is frequently a voice of reason. He has, particularly with the boundary changes in the last election, a pretty good cross-section of Ontarians resident within his riding: a lot of Franco-Ontarians, a lot of Anglo-Ontarians, a lot of United Empire Loyalists, a lot of people who feel very strongly about this province and its roots in this country.

We have frequently had discussions about constitutional matters, if you will, questions of language, and he has been a force within our caucus who has always provided us with that stability, as I said earlier, the voice of reason, a very persuasive voice indeed, someone who has been of immense assistance to all of us who have served since he joined our caucus in 1983. He has served not only the people of his riding extremely well but I believe, because of his contributions in this Legislature and to our party, he has served the people of Ontario extremely well. I very much appreciate having an opportunity to say that about a colleague and someone I consider a good friend.

The name of my riding, Mr Speaker, as you are well aware, is Leeds-Grenville. The redistribution created some problems with respect to the division of Grenville, as the member for Stormont, Dundas and Glengarry has spoken to. It has created problems for my office as well, because traditionally the federal member is Leeds-Grenville and the provincial member is Leeds-Grenville; so we are suffering from this failure to clearly distinguish the responsibilities between the member and myself, and we have had some difficulties in the past in respect to that.

I think the mover of the resolution was quite correct when he talked about the redistribution process. The electoral boundaries commission of the time made, I think, a serious error, but again they were basing it all on representation by population and I think that is a mistake; we have to look at that in the next redistribution, especially in respect to rural ridings because we cannot simply base it on representation by population. We are continually losing rural ridings and rural representation in this Legislature. We have to come up with some kind of formula.

I have frequently talked about the difference between urban and essentially rural ridings in workload. I represent a riding that is significantly rural, and I know that as a member in such a riding you tend to have a much higher profile, you tend to be called upon to attend social events much more so than a member, for example, in downtown



Toronto. A member in downtown Toronto can cover his riding in a very speedy period of time, whereas those of us representing rural ridings have significant miles to travel to try and cover our riding, to try to get to functions. We have much more social demands placed upon us.

I think those kinds of things have not been recognized by electoral boundaries commissions in the past, and we as legislators have to ensure that those kinds of things are taken into consideration when they are drawing these boundaries in the future.

I agree with the member for Bruce when he said the historical signposts have to be recognized as well. Stormont, Dundas and Glengarry, names that are part of history, have to be recognized much more than they have been in the past.

I do not want to get partisan; I tend to do these things. The member for Bruce is a very sincere gentleman, no question about it, but when he talks about preserving signposts of history, the Liberal Party federally has probably been more responsible for doing away with signposts of history in this country than any other political party. Just look at what they have done with respect to the monarchy, the flag, the national anthem, the system of measurement in this country. When you talk about signposts of history, Liberals, federally at least, have a lot to answer for.

There are a couple of other things that have created problems for me in my riding and, I am sure, for the member for Stormont, Dundas and Glengarry as well, in terms of complaints from constituents. The member for Oakville South mentioned this too, the concerns he has from people who feel they are left out; they are left out because there is no recognition in terms of the riding name to recognize those individuals.

I recall last year issuing a telephone directory in one of my mailings to constituents and on the cover, of course, it says, "The member for Leeds-Grenville"—

**Mr Bradley:** Was your picture on it?

**Mr Runciman:** Several pictures, as a matter of fact. I did not include the member's. My apologies.

We had a number of people calling from east Grenville who were concerned that their municipalities were left out of this telephone directory and they were not receiving these like other residents of Grenville; they were quite upset by it. Of course, we had to go through the explanations that I represent only a certain portion of Grenville; my colleague represents the other part of that riding. Those people indeed have legitimate concerns and complaints in respect to feeling left out, although they are not left out in terms of representation; I want to tell members that. They could not have a stronger voice in this Legislature than the current representative from that area.

I do not have a great deal more to add to this debate, simply to say that I support my colleague and urge speedy passage of this bill.

**Mr Perruzza:** I will not go on at length, but it surprises me when time periods for the debates are negotiated in this House, that on some substantive, real issue, such as the one we ended a little time ago on the member for York North's resolution; there are very serious time constraints;

however, when we deal with a matter such as this, it seems members can go on at exorbitant lengths.

Speaking to this particular name change, I am not going to support the change in name. I can sympathize with the member and what he is attempting to do, but I feel that we owe a little something of ourselves to history and to the preservation of history, and I think that if electoral boundaries change, the new area could well be incorporated in the name.

I am reluctant to move to computerized electoral districts because if that is the case then perhaps what we should be looking at is numbers. Let's number the ridings 1 to 132. Let's forget the history behind the ridings and go that route. It is very short, it fits on an election sign very succinctly in a corner on the bottom and so on, and you do not have to get into any elaborate concepts.

The member can refer to the riding however he chooses to in his letterhead, on his election signs and so on. I think the Conservative member who just finished speaking alluded to the electioneering behind the names of our ridings and so on, the travelling between distances. He talked about having to move from one community to the next, that it takes some time to do that, in an election year. I think there is something a little more important in the names of the ridings we represent than simply distances between towns. I subscribe to the view that our history and culture and heritage need to be preserved, and I think we would do well to further that process.

I cannot think of a flowerier name or a district I would like to represent simply because the name strikes a chord in me as symbolic of our past and of our history than Prince Edward-Lennox-South Hastings. That is history to me. If the member for that riding, who is a member of this caucus, were to come forward with an abbreviated version of that name change, I would be reluctant to support him as well, because I think it is important that history in this Legislature is preserved and is preserved in Ontario.

1150

I think the member who has introduced this resolution would do well to reconsider that. If he wants to do it for his own purposes, for letterheads, for election signs and so on, I think he can do that quite well. But I think in the history books, in Hansard, in the election commission's reference to these names, I think we would do well to preserve that heritage and I am not going to support the member today. I hope to be able to support the member on a future resolution of his.

**Mr Cousens:** I am very pleased to support the Bill 31, before us today. I happen to believe, in contradiction to the views that have just been expressed by our honourable member, there is a real sense of identification with the name of the riding. In our own area, federally the town of Whitchurch-Stouffville was not included in the federal riding and our federal member, Mr Attewell, was able to take a private member's bill through the federal House to have the riding changed to Markham-Whitchurch-Stouffville. It is more of a mouthful, but more than anything there is more sense of the people of that area being represented by that member.



When you look at the size of the member's riding, to exclude some 14,000 people from the riding name by virtue of not having them included in it says to them they are not important. The fact that this member is saying he believes East Grenville is important, and the people of Kemptville, Cardinal, the townships of Edwardsburgh, South Gower and Oxford-on-Rideau—these 14,000 people at least will know someone has taken the time, effort and energy and withstood the barrage of criticism from the honourable NDP to be able to come forward and strongly present—

**Mr Runciman:** One member.

**Mr Cousens:** Is it only one member? I hope so. That is good. Look, it is almost feeding time. We will have to look after these guys.

I can just say that I am strongly supportive of this kind of effort of a member to represent his community. People are left out of the political process.

Interjections.

**Mr Cousens:** You have to control this House, Mr Speaker. It is just terrible. I was not even trying to get them upset.

**An hon member:** You don't have to.

**Mr Cousens:** I do not have to try, I know. I just have to come along and do what I do.

The problem we have today is that people feel disfranchised by the political system in Canada. I sense there is a growing feeling that people feel once they have elected someone, he is going to do what he wants anyway. They will make promises and then they will—say, "That was then, this is now." The members over there are all very familiar with the way in which they got elected and then what they do afterwards.

I am aware of that and so is this House; but so are the people at large. That is why 65% vote in provincial elections, and that is why we end up having people at municipal election time—this 12 November, when we have municipal election day, how many people really think the people they vote for are going to do what they said they would do? I think we have to have a way of getting people involved in the political process so they feel they are part of it. In fact, this is one way in which one member is able to go back to his municipality and show them he is trying his best to represent all people.

One of the things the member for Stormont, Dundas and Glengarry has said to me in the past is that he does not want to think of himself as being of one partisan political party when he is serving his riding. When he is out there serving the people of his communities, he is out there to serve people of any political stripe, whoever comes to him, to his riding office or seeks his assistance. He is there to serve all the people. That is something true of all the members of this House: We are there to serve all the people right across our own ridings.

What we are seeing here through this member for Stormont, Dundas and Glengarry is that by including East Grenville he is making a strong statement to those people who otherwise might feel disfranchised. They will then

know this member is their member and someone who seeks to serve them.

I do not think we can ever stop working at representing the people in our ridings. We have a noble responsibility as servants of the people—

Interjections.

**Mr Cousens:** I think there is a lesson in it, though, because if we continue through our newsletters keeping in touch to make sure the people know who we are, know we are there to respond to their needs, then in that case they have a sense of saying, "Well, at least someone is trying." I think there is something the member and I and all of us can do to achieve that end. The fact that this is just one small gesture towards that to me shows representative government at its best. I hope there is only one lonely New Democrat who is going to vote against this and all the rest of us will strongly support this bill that is before us today.

**Mrs Haslam:** I was not going to speak on this, but I have decided that perhaps I should join the fray. I thought seriously of voting against the honourable member's petition, mainly because I have finally learned half of the ridings for everybody when I sit in the chair, and that is no mean feat, as anyone sitting in the chair knows. For instance, there is a Mississauga North, a Mississauga South, a Mississauga West, a Mississauga East. There are some good members in all of those ridings. They do not sit in alphabetical order, some are here and some are there, and in the matter of Scarborough, besides there being a Scarborough North, a Scarborough South, a Scarborough Centre, a Scarborough East, there is also a Scarborough-Ellesmere.

Originally I was going to say, "Please, I've finally learned that the member comes from Stormont, Dundas and Glengarry and now you're going to change it." However, I would say that due to the wonderful debate we have engaged in at this time and due to the wonderful arguments put forth by the member's honourable colleagues, I will support his motion at this time, but he should not do it again, please, because I am finally going to learn that it is—is it S-G-D or S-D-G? S-D-G. I am finally going to have this down pat: S-D-G & East Glengarry.

**Mr Villeneuve:** East Grenville.

**Mrs Haslam:** See what I mean? East Grenville. If the member changes it again, I am going to make a few suggestions as to what he can change it to. I will support the member at this time.

**Mr Mills:** It is a few minutes before we go out to have our lunch, so I will take advantage of these few minutes to say a few words about what my friend the honourable member for those initials and Dundas—

**Mrs Haslam:** Stormont-Dundas-Glengarry.

**Mr Mills:** As one gets older, one tends to resist change even greater, and I for one am in that mould. My wife constantly tells me: "You know, you've got to change with the times. You've got to get with it." At least I have got some posh-looking ties now that she has pressed on me to have, and I am really trying to be upbeat, but my background is that I am very much a traditionalist and I watched with some dismay the dismantling of some of the



things we come to know and treasure in Canada. I am not going to talk about that because I do not want to cause any hard feelings among anybody but, being a traditionalist, I must say that I am awfully sorry to see traditions go, and it does not really matter how minor they are. I had the pleasure of being in the honourable member's riding when I was first elected to this House, and I must say I enjoyed his generosity towards me and that of the constituents he represents. They did not know me and I did not know them, and I appreciate the kindness which the member for Stormont, Dundas and Glengarry extended to me at that time.

1200

**Mr Villeneuve:** I want to take this opportunity to thank all of the members who participated: Scarborough Centre, Bruce, Leeds-Grenville, Oakville South, Huron, Downsview, Markham, Perth and Durham East. I guess there was only one dissenting voice. I certainly appreciate the member for Bruce on the signposts of history, but SD&G has been known as SD&G for a long time, and as members probably have noticed today, I am very proud of Stormont, Dundas and Glengarry and I say it without difficulty, but I have noticed today with people participating in the debate that they stumbled quite a bit in trying to say it.

In the last election, would you believe, Mr Speaker, the Liberal candidate accused me of not recognizing the people of east Grenville? I find it somewhat strange that the member for Bruce got up and said some great things, and that is fine, but I certainly want to recognize everyone in the riding. The signpost of history for S-D-G has been Stormont, Dundas and Glengarry synonymous with S-D-G. In the newspapers, the abbreviation is used.

Last Saturday, we had the warden's bonspiel in my home town of Maxville; 30 rinks participated. Ron MacDonnell, our present warden, the 142nd warden of S-D-G, sponsored this in conjunction with George Currier, the reeve of Maxville and the past warden.

We are steeped in history. The signpost of history S-D-G remains, and certainly I was pleased that the member for

Bruce along with the member for Leeds-Grenville mentioned my predecessor, the late Osie Villeneuve. He left a tremendously large pair of boots to fill and I am still trying.

## DISABILITY INSURANCE

**The Deputy Speaker:** Mr Beer has moved private members' resolution 5.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote deferred.

## REPRESENTATION AMENDMENT ACT, 1990

**The Deputy Speaker:** Mr Villeneuve has moved second reading of Bill 31, An Act to amend the Representation Act, 1986.

Motion agreed to.

Bill ordered for third reading.

1209

## DISABILITY INSURANCE

The House divided on Mr Beer's motion, which was negated on the following vote:

## Ayes-18

Beer, Bradley, Brown, Daigeler, Elston, Fawcett, Mahoney, Mancini, McClelland, Offer, Perruzza, Poirier, Poole, Silipo, Sola, Sterling, Sullivan, White.

## Nays-34

Abel, Bisson, Carr, Cooper, Cousens, Cunningham, Dadamo, Drainville, Duignan, Fletcher, Frankford, Haeck, Hansen, Haslam, Hope, Huget, Jordan, Klopp, MacKinnon, Martin, Mathysen, Mills, O'Connor, Owens, Runciman, Stockwell, Turnbull, Villeneuve, Ward, M., Waters, Wilson, G., Wilson, J., Wiseman, Wood.

The House recessed at 1213.



## AFTERNOON SITTING

The House resumed at 1330.

## MEMBERS' STATEMENTS

## VICTIMS OF CRIME

**Mr Bradley:** I rise to draw to the attention of members of the House the tragic event that occurred 15 kilometres south of Hamilton, where two innocent victims of crime, Donna and Arnold Edwards, were found dead last Thursday in their rural home.

Members may be aware that the family of the victims held a news conference at which they issued an understandably emotional plea to elected legislators to close the loopholes that allow dangerous individuals to victimize innocent and vulnerable people in our society.

Much has been said and done about the rights of accused people and convicted criminals, but precious little attention has been paid to the victims of crime. Clearly, the Attorney General, the Solicitor General and the Minister of Correctional Services, along with their federal counterparts, must develop and implement new regulations, policies and laws designed to confine dangerous people to a secure institution, rather than routinely releasing such individuals on bail, where they commit further crimes while out of custody.

Donna and Arnold Edwards refused to keep a weapon in their home because they believed the judicial system would protect them. Instead, it failed them. Those of us who are elected representatives must act now to ensure that this tragic and avoidable crime is not repeated. For the Edwards family, it is too late. For others, it is not.

## JEFF LANGDON

**Mr Jordan:** Today, I rise to recognize the tremendous accomplishments of a young man from Lanark-Renfrew. Jeff Langdon began skating at five years of age to prepare himself for hockey. He decided, however, he did not wish to play hockey, but to skate, and in 1984, at the age of nine, he won the Rideau Lakes Figure Skating Club championship and his first gold medal.

This year, at age 15, Jeff was the novice men's Canadian champion in Saskatoon, Saskatchewan, 8 February 1991, and the Canada Games gold medal winner at Charlottetown, Prince Edward Island, 27 February 1991.

Jeff is proud of his affiliation with the Rideau Lakes Figure Skating Club, and continues to represent the club and the town of Smiths Falls at all competitions, although he has been training at the Mariposa School of Skating in Barrie. Jeff is currently on the junior national team, and is looking forward to an international assignment. His ultimate dream is to represent Canada in the Olympic Games.

Jeff is a dedicated grade 10 student, and had an average of 80%. He will be 16 in August 1991.

On 31 March it will be my pleasure, on behalf of the Premier, to present Jeff a national achievement award during the Rideau Lakes Figure Skating Club's annual carnival. The people of Lanark-Renfrew are proud of Jeff

Langdon and his family, parents Al and Karen and sister Christi.

## INTERNATIONAL PLOWING MATCH

**Mrs MacKinnon:** In Lambton, 1991 is a reason to celebrate. Many may say, "What is there to celebrate?" One celebration is 17 through 21 September, when the International Plowing Match comes to Lambton county. This prestigious affair is the largest farm and machinery exposition in the world. The highlight of the week is the plowing competition, which goes on every day of the plowing match.

You will see all ages of women and men participate in the plowing competition, where modern farm machinery will be used along with horse and plow as done in the years past. And oh, yes, MPPs will also plow. There will also be hearth, home and hobby programs along with food tents, a fashion show, arts and crafts, quilts and souvenirs.

Visitors and participants from all over North America will be in the township of Enniskillen in the county of Lambton to celebrate this international event located 45 minutes from London and 15 minutes from Sarnia, where accommodation is plentiful, affordable and comfortable. It promises to be a spectacular show for everyone to enjoy, and an opportunity for many to visit the beautiful and interesting attractions in Lambton area. This is a reason to celebrate.

## WORKERS' COMPENSATION

**Mr Offer:** I would like to draw the attention of the House to a punishment this government is inflicting upon 15,000 injured workers across the province this holiday weekend. As the Minister of Labour prepares to enjoy the four-day Easter holiday, I understand 15,000 recipients of pension cheques from the Workers' Compensation Board got cheques dated tomorrow, 29 March, Good Friday.

As members will be aware, banks and financial institutions are closed tomorrow, and indeed many until next Monday. This means that 15,000 injured workers will have no money over this four-day period, and indeed for many families in Ontario this will result in a severe hardship. This can only be referred to as negligence of the highest order, and yet the government, the Minister of Labour and the Premier would rather mess around at the top of the Workers' Compensation Board by handing out patronage appointments to prior NDP members than clean up the chaos at the bottom which their clumsy meddling has encouraged.

This government had better examine the values it holds and whether those values are being demonstrated in the shoddy, inept and uncaring treatment the Workers' Compensation Board has offered the thousands of injured workers across the province since it took power. The Minister of Labour must immediately find a way to ensure that this problem is rectified for the 15,000 families this weekend.



## SIMCOE COUNTY CHILDREN'S AID SOCIETY

**Mr J. Wilson:** My statement is directed to the Minister of Community and Social Services. Last year, a ministry audit described the Simcoe County Children's Aid Society to be a model agency for the delivery of child welfare services. Today, the Simcoe County Children's Aid Society is in deep trouble. While I am grateful for the ministry's decision to cash flow the society until the end of this summer, this is a short-term Band-Aid applied to a long-term, systemic problem.

The Simcoe County Children's Aid Society is losing the battle to balance government's demands for service with the shortfall in provincial funding.

After several discussions with the executive and officials of the Simcoe County Children's Aid Society, I realize how critical their needs are. As a result, I wrote to the minister to address Simcoe county's concerns, and I am pleased that she has at least seen fit to acknowledge these needs in the short term.

However, the day I spent with a society field worker left a profound impact on me. I know at first hand the real need for the services provided by children's aid societies, especially in Simcoe county, and I also realize their problems cannot be wished away with quick fixes.

With the continued increase in unemployment in the area, coupled with the area's dramatic growth in recent years, I am deeply concerned about the future of this children's aid society.

I am calling on the minister to show leadership and respond to the very real and serious problems that face the Simcoe County Children's Aid Society, and I am requesting that she do so immediately.

## EASTER ACTIVITIES

**Mr Hansen:** I would like to inform the House of some of the events taking place in my riding of Lincoln this coming weekend.

The Niagara Peninsula Hawkwatch and the Niagara Peninsula Conservation Authority are hosting a hawk-watching open house on Good Friday, 29 March, with a rain date of Saturday, 30 March, at the Beamer Memorial Conservation Area on the Niagara Escarpment just above Grimsby.

The open house will run from 10 am to 3 pm and will feature a demonstration of hawks in the hand from the Ontario Veterinary College's wild bird clinic. There will also be a hawk and owl display, weather permitting. There will be a good migration of hawks on their way north flying over Beamer, and there will be experts on hand to identify the birds.

Every spring from March till May thousands of red-tailed, rough-legged, broad-winged and many other hawks fly past Beamer Memorial Conservation Area on their way to the nesting grounds. The Niagara Peninsula Hawkwatch counts the birds in each flight, each year, to help assess the health of the Ontario hawk population. The Hawkwatch is a new organization comprised of people who enjoy this laid-back but fascinating hobby. Everyone is welcome to attend the hawk-watching open house. Dress warmly,

bring a lawn chair and learn about some of the most interesting birds that fly through the area.

Also, just east of Grimsby on Sunday 31 March visit the Maple Syrup Days at Vineland Quarries sugar bush at Vineland for demonstrations of maple syrup making from the early Indian ways to the present-day technology.

1340

## OCCUPATIONAL HEALTH AND SAFETY

**Mr Phillips:** I would like to bring to the attention of the government what I believe to be a clever, but I think vicious attempt to undermine the credibility of one of its cabinet ministers.

Most members will recall that when I was the Minister of Labour, Bill 208 on occupational health and safety was passed by the Legislature. The Minister of Labour, then the NDP Labour critic, the member for Hamilton East, could not contain his anger about the bill.

He said about Premier Peterson, when he was talking about Bill 208, and this is him referring to Premier Peterson, "He was so doggone deep in the pockets of business and the contractors in this province that if he were human he would have choked to death on the lint in their pockets."

He even attacked me, as the Minister of Labour. He said I was the champion of business and a chump for labour. He said I was a pretty pathetic example of a Minister of Labour in Ontario. He obviously felt bad about the bill.

Now the part where it seems somebody is deliberately trying to undermine his credibility and indeed to make him appear hypocritical: In the 19 March edition of the business publication the Financial Post is a story that is headlined "Labour Minister Praises New Workplace Legislation." "This legislation represents some of the most progressive health and safety regulations in North America...We believe its provisions...will prove an effective tool in achieving safer, healthier and more productive workplaces."

I hope the government can find who put this in. Obviously the minister could not have done it. I hope they are able to restore his credibility by finding who would do something like this.

## LANDFILL SITE

**Mr B. Murdoch:** The people in Meaford and in the township of St Vincent are fast losing patience with the Minister of the Environment. As she well knows, the present dump site in the area is almost full and she will not let them open a new one.

On 5 December I raised the issue in the House and advised the minister, in case her staff had neglected to do so, that we are facing a crisis. On 31 January I wrote the minister reminding her of the situation and asked that she meet with local municipal officials to try to find a solution. I have received no answer.

On 21 February John Lowe, chairman of the joint landfill committee, wrote to the minister again, enclosing a copy of my letter, begging her to sit down with them and discuss the problem. The minister has ignored them.



Does the minister simply not care that because of her inaction garbage will be piling up in the streets? Does the minister feel that she is too far removed from the people of this province to worry about their problems? Does the minister plan anything? Why will she not even respond to our letters and grant us the courtesy of the meeting?

#### INTENDED APPOINTMENTS

**Mr Perruzza:** I rise today to congratulate an outstanding individual from our Downsview community who is the intended appointee as chair of the Workers' Compensation Board. Mr Odoardo Di Santo served as a member for Downsview in this Legislature from 1975 to 1985. In that period he acquired remarkable expertise in defending and fighting for injured workers and guiding them through the Workers' Compensation Board process.

This commitment was recognized in 1985 by all parties when Mr Di Santo was appointed as director of the office of worker adviser, where he has served to date. He has done a remarkable job in assisting injured workers and ensuring that they receive fair compensation for their injuries. His in-depth understanding of the board and his understanding of the plight of injured workers and their families will serve him well as chair of the Workers' Compensation Board. The challenges facing Mr Di Santo are many, but through his hard work and dedication he has earned the respect of our communities.

Further, I wish to congratulate Father Massey Lombardi on his intended appointment as a member of the Metropolitan Toronto Police Services Board. A resident of Downsview, I have had the pleasure of working with Father Lombardi on the North York mayor's committee on race and ethnic relations from 1986 to 1988. He brings extensive knowledge, experience and a balanced perspective to his new responsibilities.

I am confident our communities will be well served by the appointment of Odoardo Di Santo as chair of the Workers' Compensation Board and Father Massey Lombardi as a member of the police services board.

#### STATEMENT BY THE MINISTRY

##### ONTARIO FILM INDUSTRY

##### L'INDUSTRIE CINÉMATOGRAPHIQUE ONTARIENNE

**Hon Mr Marchese:** Today I am pleased to be able to announce a package of initiatives to support the film industry in Ontario. The Ontario film investment program, or OFIP, has been running for two years now and is set to expire 31 March, just a few days away. We have decided to extend the program for another two years because it has been so successful in bringing needed investment to this province and in creating jobs.

Since April 1989, OFIP has supported 63 Ontario-based film or television productions. Together, these 63 productions have provided 1,775 full-year jobs and resulted in more than \$200 million in total spending in this province alone, and we know the spinoff effect of this spending creates other jobs and ripples through the economy.

Depuis le mois d'avril 1989, le programme d'investissement dans l'industrie cinématographique ontarienne a

contribué à 63 productions cinématographiques ou télévisées en Ontario. Ces productions ont permis de créer 1775 emplois annuels et ont entraîné des dépenses de plus de 200 millions de dollars dans notre province. Nous savons que les effets indirects de ces activités donnent lieu à la création d'autres emplois et ont des répercussions à travers l'ensemble de l'économie.

This is an industry that employs 35,000 people and has a combined direct and indirect economic impact of more than \$5 billion in Ontario alone. That ranks it among the province's 20 largest industries. This is truly culture at work.

There is a strong industrial, craft and post-production base in Ontario; in other words, a lot of talented people whom we want to see working here. Through the Ontario Film Development Corp, we will spend over \$31 million during the next two years to foster investment in the film and television industry. The bulk of that spending, some \$28.7 million, will go to the OFIP program, which allows Ontario investors to recoup 20% of their investment in an eligible Canadian-content television production and up to 25% of their costs for comparable feature film productions.

La plus grande partie de ce montant, soit 28,7 millions de dollars, sera consacré au PIICO, qui permet aux investisseurs de récupérer 20% de leur investissement dans une production télévisée canadienne et jusqu'à 25% dans une production cinématographique canadienne.

I have talked about the jobs that are created in the film industry and the investment that is attracted here through incentive funding, but I want to acknowledge the intrinsic value of this very powerful and influential cultural sector. I want to make it clear that we are not simply finding one more way to create jobs and stimulate the economy. What we are doing with funding initiatives that I am announcing today is recognizing the importance of investing in our cultural resources.

I believe we have an obligation to protect the cultural integrity of this province, with its unique blend of many cultures, in the face of a culturally overwhelming American neighbour and in the absence of any new federal initiatives to protect the film and television sector.

#### 1350

In addition to the major OFIP program, the OFDC will also receive funding for another very successful initiative designed to assist arts and multicultural production and development. This \$1-million yearly budget will go to support film and television productions of performing arts and multicultural groups. Today I am announcing a grant of \$2 million for this initiative, \$1 million for each of the next two years.

Since 1989, the \$2 million dedicated to the arts and multicultural programming has brought in more than four times that amount in total investment and has made it possible to film live performances of theatre, dance, music, opera and multicultural events and subjects. This extends the life of cultural events beyond their immediate audience and preserves it for viewing in other places and at other times.

The province will also direct \$165,000 to repertory cinemas to help promote and advertise recent Canadian



productions; this initiative will be known as the film exhibition pilot project and will include a study to determine the feasibility of its extension to smaller communities across Ontario. We have worked closely with the rep houses to design this pilot project. It is a precedent-setting, one-year case and it is going to increase awareness of and therefore attendance at Canadian films. They win awards, they are seen around the world, but they are massively overshadowed by the foreign films that continue to dominate our screens. More than 97% of theatrical screen time is devoted to non-Canadian feature films. There is no doubt that we can make wonderful films in this country; now let's make sure that Ontarians have an opportunity to view this cinematic wealth.

Finally, we will contribute \$150,000 towards the cost of developing a strategic plan for the film and video industry. This plan will be developed by this government, in collaboration with industry representatives and will address the many obstacles to film and television production, distribution and exhibition in this province. It will allow us to move beyond short-term solutions. We know what the problems are; let's use some creative and strategic thinking to solve them and guarantee greater cultural strength to future generations.

In total, the programs I have described amount to more than \$31 million, but let us keep in mind the much larger impact of investments like this. It will bring in many times that amount of investment dollars to a sector that provides thousands of jobs and thousands of hours of cultural programming. It sends a clear message to producers, directors, writers, actors, designers and film crew members that we in government know their work is important and we value it and support it.

Few other sectors tap into the priorities of this government to this extent. Whether we are talking about diversified economic development, cultural sovereignty, intercultural understanding or environmental awareness, since film and television production is an environmentally low-impact industry, we can point to the film and television with pride.

It is a pleasure to announce these programs and to move ahead with another two years of exciting and innovative film and television production in Ontario.

#### NATIVE ISSUES

**Hon Mr Wildman:** I would like to inform members of this House that this government will begin the process of resolving a land claim that has been outstanding for more than 200 years. The process begins with a statement of intent signed with the Algonquins of Golden Lake. This statement spells out our intent to (1) enter land claim negotiations with the Algonquins of Golden Lake by 15 June 1991 and (2) develop agreements with the Algonquins of Golden Lake on hunting and fishing for food in the area they claim as their traditional territory.

I want to assure this House that we are pursuing the process of public consultation that will continue to be a feature of our efforts in negotiating the agreements with the Algonquins of Golden Lake. Through these agreements, we will clearly demonstrate the commitment of all

sides to the conservation of game, fish and other resources and to the protection of public safety.

As members know, the Algonquins of Golden Lake have filed a substantial land claim to a large part of the Ottawa Valley, including Algonquin Park. The Algonquins first asked to have their rights recognized in the late 18th century, and still nothing has been done. It is in the best interests of the Algonquins of Golden Lake, all of Ontario and indeed all of Canada to settle this land claim rather than wait and have the matters settled by the courts.

I have written to my federal counterpart, the Minister of Indian Affairs and Northern Development, inviting him to join in these important land claim negotiations. Ontario wants to see a full resolution of this land claim by the Algonquin nation. It is essential that the federal government be involved. Before the negotiations are finished, however, the Algonquin people living in Quebec, who have also made a claim in this area, and the government of Quebec, may also have to be involved.

If the federal government is not prepared to get involved, then Ontario will move ahead and negotiate on a bilateral basis those areas of provincial responsibility.

The statement of intent indicates that we will develop an interim agreement with the Algonquins of Golden Lake regarding the aboriginal right to hunt and fish for food for personal and community use. When finalized, the interim agreement will include subagreements on deer and moose hunting and fishing for food. The subagreements will specify seasons for hunting and fishing, areas for hunting and fishing, levels of harvest, means of access to resources and measures to protect park values, ensure enforcement and protect public safety.

We are negotiating provisions that, among other things, will see hunting activity taking place from late fall to mid-January.

We are consulting with concerned individuals and other groups interested in Algonquin Park about the interim agreement and the subagreements. These groups include the Friends of Algonquin, the Federation of Ontario Naturalists, the Ontario Federation of Anglers and Hunters, the Algonquin Wildlands League, the Northern Ontario Tourist Outfitters Association and the World Wildlife Fund. We will be consulting with other groups as the process continues.

I want to assure the House of my confidence that, through consultations, we can create a harmonious climate that allows the Algonquins to exercise their aboriginal rights and which also allows others to continue to enjoy Algonquin Park as they have in the past.

The Algonquins of Golden Lake have told us there is no moose or deer hunting going on now in or around Algonquin Park. Their season for hunting is over. Agreements on hunting and fishing in the area the Algonquins claim as their traditional territory will be in place before the fall hunting season.

The matters I am outlining today involving the Algonquins will help focus future consultations. We will not sign final agreements on these matters until consultation is completed with the Algonquins and with interested groups.



On a related matter concerning aboriginal people, I want to bring to the attention of the members a draft interim enforcement policy being developed on aboriginal rights to hunt and fish. We have begun a process of public consultation on developing an interim policy that will be a general enforcement policy covering other aboriginal peoples hunting and fishing in the province. We have been discussing this draft policy with first nations and a number of concerned groups.

The intent of the draft interim enforcement policy is to clarify current government practice regarding aboriginal rights to hunt and fish for food for personal and community use. We need to do this in order to respond to recent Supreme Court decisions.

We will be seeking to minimize the number of instances where native people will be charged under such acts as the Game and Fish Act, the Fisheries Act and the Migratory Birds Convention Act and their regulations. Again, this direction is part of our commitment to negotiate self-government for aboriginal communities. That commitment would be meaningless without access to natural resources such as game and fish.

The foundation of any policy that evolves from consultation on the draft enforcement document is the conservation of game and fish, sound natural resource management and the protection of public safety. The Supreme Court has indicated that governments have a responsibility to enforce regulations in these areas, and we will meet our responsibilities.

When it is in place, the interim enforcement policy will allow us time for public consultation on developing co-management agreements on resources as part of the self-government negotiations.

The measures I have outlined are the core of our commitment to negotiate self-government arrangements with first nations. I trust that I can count on the support of all members of this House as we pursue our commitments to negotiate with the first nations. I hope to be able to further inform members on these matters in the near future.

1400

## RESPONSES

### ONTARIO FILM INDUSTRY

**Mr Henderson:** I would like to begin by thanking the guest speaker for his kind words on this second appearance in one week before this auspicious assembly. You just never know in this business when you are going to draw a little bit of praise and we are very happy to accept that whenever it comes our way.

The minister tells us that the Ontario film investment program has been running for two years now, which indeed it has, and he is going to extend our program for another two years, "because it has been so successful in bringing needed investment to this province and in creating jobs."

"Since April 1989," he goes on to say, "OFIP has supported 63 Ontario-based film or television productions...provided 1,775 full-year jobs and resulted in more than \$200 million in total spending in this province alone. And we know," he says, "that the spinoff effect of this

spending creates other jobs and ripple effects throughout the economy."

I thank the minister. We appreciate that.

Beyond that, this announcement is rather set to a downhill course. Earlier in the week I commented that the minister had given us next to nothing too late. Well, he has moved up a notch. This is very little, very late.

He says that he "will spend over \$31 million over the next two years to foster investment in the film and television industry." I am a little confused, because the press announcement today pledges \$28.7 million over the next two years. Not only is that not keeping pace with inflation, but it is not keeping pace with what the previous government was spending on a year-by-year basis.

How does it compare with what Quebec is doing? We have the impression that Quebec is being rather more generous, with all that implies, for the movement and mobility of this very important cultural sector.

The minister goes on to say that he wants "to acknowledge the intrinsic value of this very powerful and influential cultural sector," the film industry, and of course he is quite right. He is announcing today the importance of investing in our cultural resources, and of course he is quite right. But seven months into government is very late to recognize that investing in our cultural resources in Ontario is very important. Quicker recognition would have made for less uncertainty in the film industry.

Finally, there are some dribs and drabs in this announcement, such as \$165,000 to repertory cinemas to help promote and advertise recent Canadian films.

The minister quite rightly says his words of praise for the Canadian film industry. He quite rightly laments that 97% of theatrical screen time in Ontario is devoted to non-Canadian feature films. I would like to know what his expectations are with regard to that 97%. What should it be, 90%, 80%, 96 1/2%, 50%? If we knew his expectations, we could more adequately assess the benefit of what he is doing to redress this problem. How can we measure the benefit of a program which is stated in such nebulous terms? This is not to underestimate the minister's well-chosen words in praising the excellent films that emerge from Ontario's film industry.

There is a little hocus-pocus with arithmetic here. The minister begins by announcing \$31 million, goes on to announce a further \$2 million, adds a few dribs and drabs to that and comes up with a total of \$31 million. I do not quite follow his arithmetic.

There are some well-chosen words here and I would like to support the minister for what he is doing, albeit very little, very late.

### NATIVE ISSUES

**Mr Elston:** Speaking about very little, very late, I would just like to say first of all that I do want to say it is interesting and in fact fortunate that something positive has finally been announced of substance. It is good to see that they are making moves to finally deal with the issues in a real way.

But I must bring back to everybody's attention that the statements or answers to questions in this House I think



have brought the minister and his staff along to the extent that they used to tell us that they were going to do public consulting but not in the glare of the public eye; they had to do a better job of consultation lest they get more editorials like he has received from Huntsville and other papers asking for his resignation.

I also want to say that we know that it is crucial and critical that the subagreements recognize public safety and conservation as valued efforts. I want him to undertake that the subagreements will in fact comply with the answer he gave in this House not long ago.

#### ONTARIO FILM INDUSTRY

**Mrs Marland:** In rising to respond to the statement by the Minister of Culture and Communications today, it takes me back to the summer of 1986 when at that time I had the privilege of sitting on this side of the House with the now Premier. Late in the afternoon of a Wednesday, I think, of that week, the now Premier and I were over here with about three or four other members, at which time the then Treasurer, the member for Brant-Haldimand, stood in the House and decided not to call a very controversial bill which was adding 10% amusement tax to all the non-profit theatres.

I was a neophyte member. I was so floored, because this is what we had been asking for for some time in the interest of culture and entertainment in this province, I remember sitting there with my mouth open. The now Premier turned around to me and he said: "Margaret, stand up and crow a little bit and then sit down. Take all the credit you can." So with the coaching of the now Premier, I would like to stand up and crow a little bit and take for one moment some credit for the announcement by the minister.

I will say simply that we do appreciate the announcement by the Minister of Culture and Communications today. Certainly the support, in response to my questions and prodding for the saving of the Ontario film industry, is a very critical decision by his government. It is a very critical decision for the future of that industry in Ontario today.

I would say simply that I wish that the minister could have made the announcement a little sooner and saved perhaps a number of ulcers and nerve-wracking weeks and months for some of the people who have spent sleepless nights wondering whether their jobs would still be available for them in the next two years. In reality, at least the announcement has come before the closing and the loss of the program together. We thank the government for that announcement today.

#### NATIVE ISSUES

**Mr J. Wilson:** I am pleased to rise in response to the statement today from the Minister of Natural Resources and minister responsible for native affairs. First, I want to congratulate the minister for beginning to come to grips with this very difficult situation. We in the Progressive Conservative Party realize that those negotiations are very difficult.

Second, and here is the bang, I am also pleased to see his conversion to true consultation. I recall, with my colleague the member for Simcoe East, attending in Thunder Bay the conference of the Ontario Federation of Anglers and Hunters in early March where they were very upset that the minister had in January made a decision to allow unfettered hunting and fishing to the natives, the Algonquins of Golden Lake, very upset that his consultation did not occur first, prior to making that unilateral decision. Now he is telling this Legislature that he is going to go out and consult. I congratulate him for that. I trust he will understand that I believe it is a bit late.

I hope the minister will consult with Scott Hayden, who today presented some 8,000 signatures on behalf of an ad hoc committee called Save Algonquin Park. I attended their press conference this morning as our party's Tourism critic. It is 8,000 signatures of people who are very much concerned, and I would suggest to the minister that they would not be concerned if he had consulted with them first, prior to allowing unfettered access to these resources by the natives.

1410

I hope also that the minister will consult with Professor John Theberge of the University of Waterloo, who on the subject of moose hunting in Algonquin park says, "No hunting is the only thing that is acceptable in this population as far as I'm concerned....It's folly biologically." I hope the minister will take his points into consideration.

As I say, we do from the bottom of our hearts wish him well, because we realize it is a difficult task he has before him, but on a final note, I also hope as Tourism critic that he will take into account the very real concerns out there as we head into the peak season. People are worried they are going to get wounded or shot in Algonquin park as the result of natives having access to those resources. They are also very much worried about motor boats in the park. So I hope the minister will take those concerns, and if there is no basis for those concerns, that he will dispel those beliefs as quickly as possible.

**Mr Speaker:** It is time for oral questions; the Leader of the Opposition.

[Applause]

**Hon Mr Cooke:** It's all time on the clock.

**Mr Nixon:** Should I tell you, Mr Speaker, that I think applause in this House is often misdirected and useless and I wish people would stop doing it.

#### ORAL QUESTIONS

##### LEGISLATIVE PROGRAM

**Mr Nixon:** I want to the member's attention, by way of a preamble to a question to the Premier, something that he himself said to his new-found friends, the business moguls of Wall Street, in the Plaza Hotel of New York City on 30 October: "You know it is important to clean your glasses, but you don't spend your whole life cleaning your glasses. Once you have cleaned your glasses, you get on with the job of trying to do things."

The government has been in office six months. Since we rose before Christmas, 101 days have transpired since



ne and his colleagues have been preparing for this session, in which the people in general and the opposition in particular expected to have a legislative program presented that would implement those commitments made by the NDP during the election campaign. With the exception of two or three footling announcements, nothing of significance has been brought before the House, certainly no legislative program. How does the Premier, who must take the full responsibility for this, defend such an indefensible lack of action?

**Hon Mr Rae:** I can only say to the Leader of the Opposition that I am dumfounded that he would see things in this way. First of all, let me deal directly with the question of the legislative timetable. We have taken the approach that there were two bills which we presented for second reading prior to Christmas which went out for committee review and are now coming back to the House. They deal with rent control and they deal with the support for children and for spouses who are affected. Now, those two bills—

Interjections.

**Hon Mr Rae:** Let me just say the government has taken the approach that we want to get those bills passed, that we want to get those bills through the House and then we will move on with the rest of the agenda, which the government is ready to proceed with, but we would much prefer to deal with those two bills, and that is the approach that we have taken.

That approach may be a little too coherent to appeal to the Leader of the Opposition; I do not know. It seems to me straightforward enough. If he thinks that the hundreds of millions of dollars that are now not being paid, and during his entire administration, the whole time, the five years in which the Leader of the Opposition was Treasurer, in which women and children were not supported by their former spouses, if he thinks that bill is unimportant or insignificant to the literally tens of thousands of people who have been affected by that neglect, well then I simply disagree with the Leader of the Opposition in that regard, and I think there are many others as well.

We want to proceed with the rent control legislation. We want to deal with that question, because we think it is important to provide for that kind of protection.

We have been working very hard to make sure the people of this province get the best possible government. We will continue to do that, but believe me, there is going to be no lack of things for the Leader of the Opposition to do if he only chooses to do them.

**Mr Nixon:** Whenever the Premier gets sanctimonious and aggressive, we know he has a weak point. In this particular instance only he is responsible for the lack of programs being put before the people and this Legislature. As a matter of fact, just this week I was reading in the Brantford Expositor an article by Eric Dowd, the dean of all deans, and he said as follows, "Indeed, one of the Premier's senior advisers yesterday bragged, 'The ministers don't even go to the bathroom without asking me.'" That is not exactly the way the quote would normally have been put forward in Brant county, but the meaning is clear.

Does the Premier not understand that the way he is running his government none of the civil servants and none of his ministers has any freedom of action to bring forward legislation for presentation and debate in this House and that if there is a problem—and I believe there is a serious one—it is with the Premier and his office? How can he comment on that when in fact he is responsible for the logjam?

**Hon Mr Rae:** Some log, some jam. There is no logjam. There is, rather, a determination on our part to proceed with the legislation which is there, which the House considered at second reading, which has gone out to committee, which we want to get passed for third reading and which we want to get through.

**Mr Sorbara:** Two bills, two bills only. There are five committees of this House.

**Hon Mr Rae:** Listen to the leader-to-be from York North—and I mean no offence to the other Duke of York, who we know will be running as well, but two dukes are always better than one.

I say to the Leader of the Opposition, we are waiting to get these bills passed and we intend to proceed with these bills. Let me also say to him—I do not believe this and so I just say to him—I do not think he believes that having a debate on the Constitution was unimportant, I do not think he felt that the debate we had yesterday was unimportant. As well, look at the things we have been announcing: the \$478 million that has already been provided in the anti-recession program; the \$15-million diversification fund already announced in Elliot Lake; the \$32 million in worker protection already announced; the establishment of the Fair Tax Commission; the appointment of the employment equity commissioner; the movement on Algoma Steel; the housing for low-income singles that was announced by my colleague; 5,000 new child care spaces.

The government is proceeding in the way in which we said we would in the throne speech. We said we would consult and then we would act. We said we would provide protection, and we said we would move ahead in those areas where we could move. We are very busy. The Treasurer is working very hard on the preparation of the budget, and the former Treasurer will identify with that process. I can assure the members of the House, we look forward to an extremely active session. If the members of the Liberal Party and members of the Conservative Party want to announce quickly that they are going to pass those two pieces of legislation, then we will be ready to rip with the other stuff that we have ready to go.

**Mr Nixon:** I should say to the Premier that I feel his defence of the indefensible is extremely weak. He knows from experience, although he has never been a House leader around here, that the bills have got to be before the House and printed so that the opposition caucuses at least have a chance to consider them and consult on the basis of the proposals that come from the government. Some sort of weird idea comes from the Premier that once he has made up his mind and pulls the plug on one or other of his ministers, and something comes forward by way of legislation, it proceeds without delay; that is naïve in the extreme. Surely



if we are going to have any kind of legislative program, it should be before the House now, printed, and it should be available to all the members of the House on all sides, in spite of the fact that his own caucus acts like a bunch of seals and simply applauds every time he wiggles his ears. As far as we are concerned, there is no legislative program.

Can he assure me that before this occasion arises next Thursday, as it arrived last Thursday, we are going to have a program of significance and the work of the Legislature can settle down and be productive? I believe the debate of the Constitution is worth while, and I believe this House has the capability of filling any amount of time that is made available for debate, but it is time we saw the government's program by way of legislation and I hope that I do not have to raise this matter next Thursday. Can the Premier assure me that it will not be necessary?

1420

**Hon Mr Rae:** A couple of weeks ago, when the Leader of the Opposition spoke to the Liberal Party gathering, he described me as extraordinarily weak and ineffective. Today I am something approaching a dictator, combining the qualities of sanctimony and extraordinary aggressiveness. I would only say to the Leader of the Opposition, if he is going to insult me, I wish he would at least make up his mind as to what the problem is.

**Mr Sorbara:** Give us the health bills, give us the labour bills.

**Hon Mr Rae:** The Duke of York is suggesting that he has all kinds of legislation that he wants to deal with. Let me say to the Duke of York, we want to get on with the custody orders enforcement bill, and he indicates that he wants to hold that up. We know what the position of the Tory party is with respect to the rent control bill, and I say to members of both opposition parties, the way we prefer to go as a government, and we are entitled to do this as a government, is to say that we want to deal with the legislation that is before us. Other issues are being addressed on the order paper, and will continue to be, but I think we are entitled to say as a government that we want to proceed on the rent control legislation and on support and custody orders, because that is what we feel we were elected to do and that is something we indicated four months ago we wanted to move on.

**Mr Nixon:** I think the brand of intellectual totalitarianism of the member for Welland-Thorold is probably the closest.

**Hon Mr Rae:** I like it when your neck goes out like that.

**Mr Nixon:** I like it when the Premier's eyes get beady.

**Hon Mr Cooke:** Go ahead, your neck is bulging.

**Mr Nixon:** That is my diet, not my blood pressure. Can't you do something about this, Mr Speaker?

#### WASTE REDUCTION

**Mr Nixon:** I have a question for the Minister of the Environment. On 7 December she said, "Bradley is dreaming if he thinks he can reach his reduction target of 25% by 1992." On 21 February, in Belleville, the Minister of the Environment repeated that she accepts the Liberal goal, the "Bradley goal," of achieving 25% waste reduction by 1992, but can she tell the House how she plans on achieving this

target when she has stated publicly that she does not intend to bring forward any regulations, particularly those relating to packaging, before 1992?

**Hon Mrs Grier:** I am so glad he asked. The garbage and waste management policies of this government, as I am sure the Leader of the Opposition knows, rely primarily on reducing and reusing the waste of this province and regarding it as a resource, something that can be used for other purposes rather than merely buried in a hole in the ground. The approach of this government, contrary to the previous government, was to get serious about reducing and reusing, and we are working very closely with municipalities that are making enormous strides in getting serious about reducing and diverting from landfill. I hope we are going to meet the 25% by the end of 1992; we are certainly going to meet the 50% by the year 2000. I am really overwhelmed by the support and the acknowledgement of the need for the kind of leadership we have shown that municipalities across this province have given since my announcement in Belleville.

**Mr Nixon:** I am sure members would agree that the Minister of the Environment is one of the ministers in the new government in whom we had the greatest hope, but surely she cannot believe that without strengthening regulations and establishing more direct guidelines she has any more hope of achieving that goal than she said the Liberals would have without the same sort of regulation.

I find her very convincing. She is almost like an evangelical minister calling people to come forward for salvation in the blue box and the other programs she is talking about. But she herself has indicated that it cannot be done without regulation and she does not intend to do that before 1992. I do not know, on the basis which she said she hopes she can achieve it, what her real aspirations are for 1992. I expect we have about 10% of the waste flow going through recycling now. What does she expect it will be during this year, let alone 1992? What are her goals for this year?

**Hon Mrs Grier:** My goals are significant increases over last year, and I am confident we will achieve that. The part of the plan that I announced in Belleville was mandatory source separation, bringing all municipalities save the very smallest ones into mandatory recycling, be it blue boxes, depots, mandatory separation and composting—not accepting waste materials from garden cleanups into landfills.

All of that is making material progress towards our reduction and diversion targets and all of that is leading to the development of regulations which will be in place in 1992. But activity does not begin in 1992; activity began on 1 October and we are working towards those targets. The regulations that will make sure we reach them will be in place after we have finished our consultation. They will be regulations that are not just there as regulations that are not going to be reached, but regulations that fit the particular problems of the industry and of the region of the province and regulations that are developed in co-operation with the partners in this exercise, who are the people who actually pick up, manage and collect the waste, the municipalities of this province.



**Mr Nixon:** I feel that the minister's response was unworthy, for her to imply that this began 1 October. Even in her implied criticism of her predecessor, she must have realized that the inspiration and the implementation of blue box and composting was his, not hers, and she has done nothing other than preach about it since that time. Part of the preaching was to say to the municipalities—except, as she says, the very small ones—that they should go forward with this and that she would arrange some financial assistance from the Treasury for that purpose.

The municipalities, if they are expected to do that, will be making their plans now; they are well into their own fiscal year. When is she going to announce what that support will be, and can she indicate that it will extend the recycling beyond what it was before 1 October?

**Hon Mrs Grier:** What has changed since 1 October is that we have in this province a government that is prepared to regulate, that is prepared to say, "Reduce and reuse rather than rely on recycling." A lot of changes have occurred, not the least of which was the establishment within my ministry of a waste reduction office, the first time that there has been that kind of mechanism in this province, a mechanism that is an advocate, that is going out and meeting with the municipalities and dealing on a case-by-case situation with their particular problems.

When it comes to the enhancement of the grants to municipalities, let me tell the former Treasurer, the Leader of the Opposition, that I have every confidence that my colleague the Treasurer and I will be able to share with him very shortly an improved grants program that will make the hearts of municipalities glad, that may even make his heart glad.

1430

#### CROSS-BORDER SHOPPING

**Mr Stockwell:** My question is to the Premier. He was quoted on 23 January 1991 in the Sault Ste Marie Star, in response to a question on cross-border shopping, "The provincial government will do its part to combat the cross-border shopping problem in Sault Ste Marie," and I assume across the rest of the province.

This problem is growing worse day by day. There is great concern with respect to jobs, with respect to businesses that have been around a long, long time, and now they are closing their doors due to cross-border shopping. In two months, really nothing has happened. What did the Premier mean when he said he will do his part in combatting? What is the definition of "combatting," because to date I have not seen anything the Premier's government has done to combat this problem. What exactly did he mean when he made this statement?

**Hon Mr Rae:** Not only did I meet with people in Sault Ste Marie, but I had a very useful session with the municipal and business leadership in Niagara Falls when I was there a couple of weeks ago, together with our chief government whip. I had a session with the chamber of commerce people and, again, municipal people in Cornwall when I was there. It is obviously an issue that would be of concern to anyone. It is of concern to every province. It is not simply an Ontario problem. This is a Canada-wide

problem. It affects every border community in Canada at the moment.

Having said that, I can only say to the member that the Minister of Industry, Trade and Technology and the ministry are working with people to try to create marketing programs within municipalities that will allow them to respond more effectively. I know a committee of the Legislature is going to be dealing with this question and listening to ideas and suggestions, but I would say to the honourable member that if he has any magic solutions that do not involve dealing with the problem of an overvalued dollar and interest rates and the GST, those three things—does he know what they call the GST in Sault Ste Marie? Going Stateside today—if the member has any positive or constructive suggestions to make, if he has one good idea to present to this House, I would be interested in hearing what it is, and so would other members, and we will be happy to consider it.

**Mr Stockwell:** I am very pleased to offer ideas and concepts that I think our party would consider to be valuable ideas. One is taxes. Clearly, taxes are too high, and that is the number one cause everyone talks about when they go cross-border shopping, provincial taxes. When the Premier got elected, he was promising he would resolve these kinds of problems.

Further to that, every issue the Premier deals with he fobs off on somebody. It is always someone else's fault. Before the election, he had all the answers. I have in my hand the spring and summer 1991 continuous learning calendar from Durham College of Applied Arts and Technology, a provincially funded institution. In the course outline, the Premier will see it offers courses on shopping in the United States and a six-hour workshop on the same. I will just read the Premier one of them. "Buffalo Shopping: Let us show you some of the best outlets and shopping areas in Buffalo."

Does the Premier feel it is acceptable that a provincially funded college, which this year, according to government estimates, will receive operating grants to the tune of \$17.9 million, is offering both shopping trips to the States and six-hour workshops on the same?

**Hon Mr Rae:** In a word, I find the course, the words that have been used by the honourable member, rather bizarre. How else can I describe it? The idea of people sitting around talking about how to shop somewhere does not strike me as a very useful way to spend one's time.

All I can say to the honourable member is that I do not think it is a fair description of anyone to say he has magic answers. I would ask him whether he has raised the issue with the federal member from his own area, Michael Wilson, a member of his party who represents the same area in Etobicoke. I am sure they see each other socially a great deal. I am sure they discuss it. The federal government has been giving us advice. I wonder what advice the member has been giving with respect to the GST and with respect to the dollar.

The member mentions taxes. Taxes are things we have to take into account; so is the value of the dollar, the fact that the dollar is as overvalued as it is. That is a problem



we have been wrestling with, coupled with the free trade agreement, coupled with the announcement of the GST, coupled with the high interest rates. All these things together have been a factor. Ontario is affected, Quebec is affected, New Brunswick is affected; every province in the country is affected all the way out to British Columbia. No one is immune from this. We are working with municipalities and with local chambers of commerce to try to be as constructive as possible in keeping customers and in looking at a way to solve the problem, but it is not going to be easy.

**Mr Stockwell:** We had the same federal government before 6 September. They had the same fiscal policies and the same response to a lot of the issues today. Before 6 September the Premier had all the magic answers; since being elected he has lost his bag of tricks.

The economies of cross-border towns are burning, and the Premier's government is fiddling. The biggest problem this House and the people of this province have is understanding the NDP's positions. Before the election, it had certain positions; post-election they have changed dramatically.

The Premier's previous answer simply adds to the confusion. The federal government was the same. It was the same government before the election that it has been after the election. When is the Premier going to offer solutions that he had ready at hand before being elected Premier? The Premier made a lot of promises. I would like to see him follow through on some of them. Whether he agrees or does not agree, it is making a commitment to his word, and his word apparently is not worth it today.

Is the Premier forcing the members of the opposition parties to spend \$800 to go to an NDP seminar to understand its policies? That is the only place we are hearing about them, not in this House. What is the Premier's plan of attack? What is the Premier's plan of attack to resolve the cross-border issue? There are people losing jobs. There are businesses closing. The Premier continues to prance around the province consulting and discussing. The answers were so quick before the election. Please assist these people. The Premier made these promises. When is he going to fulfil them?

**Hon Mr Rae:** However low an opinion the member may have of me, I have the highest regard for him, and I want him to know—

**Mr Stockwell:** Your eyes are getting smaller. You are the first NDPer to say that.

Interjections.

**Hon Mr Rae:** I know members of all parties want to make the committee structure work. Let me say to the member that if he can ever point to a time when I have had some magic answer on cross-border shopping, either before 6 September or after 6 September, I wish he would point to it, because I think in fairness he would find that this really is a tough issue, and there are no magic answers to it. There were no magic answers before 6 September, and there are no magic answers today to it.

The member is a member of the standing committee on finance and economic affairs. I see his name here. The committee is supposed to be studying the question of

cross-border shopping. I know he will be meeting with local chambers of commerce, with mayors, with all kinds of people, and if he has constructive ideas—I do not think he is saying that the one course at Durham College is the cause of the whole problem. I do not think he is suggesting that. If he wants to give us some good ideas as to how we can deal with it, then of course they will be considered.

1440

#### GASOLINE PRICES

**Mr Jordan:** My question is for the Minister of Energy. There is grave concern in eastern Ontario that the consumer is being gouged at the gas pumps. Does the minister not care that recently motorists in Pakenham were paying 70 cents a litre while here in Toronto gasoline could be purchased for just over 40 cents a litre? That is almost \$1.30 a gallon difference. Motorists from Lanark-Renfrew, Leeds-Grenville, Stormont, Dundas and Glengarry are being lured into the United States to purchase gasoline. They are lining up to cross the border at Cornwall and Prescott to buy the gasoline at 24 cents a litre.

Will the minister agree that this is gouging and would the minister please tell this House what her plan of action is?

**Hon Mrs Carter:** As the questioner knows, we do have a free, competitive market in gasoline in this country. We also have a country just to the south of us which does not have the same degree of taxation of gasoline that we do, which leads to an inevitable border problem.

However, at the moment there are extra factors complicating the position. The first one is that we are just at the end of a price war over gasoline, and although it is nice to have gasoline at prices in the 40-cents-a-litre range, no business can keep selling gasoline at this price, so this has to come to an end. Another complicating factor is that in the United States gasoline prices immediately reflect the cost of what the oil companies are purchasing at the time. In this country the price takes a while to work through, so we are paying, not the cost that the companies are paying but a delayed result of that as it goes through. So there are all kinds of factors working on this, meaning that prices vary.

Having said all that, we are concerned about the variations. We are looking into this question very carefully and we will be coming up with actions that may mitigate this to some degree, though I do not think we shall be able to wave a magic wand and iron out all these discrepancies.

**Mr Jordan:** On 3 October the Premier promised he would stop the gouging at the gas pumps and protect Ontarians. In December the Treasurer said he was not happy with what the government had done regarding gas prices since the election. On 10 March the Minister of Mines said: "Above all, what I would like to see is the assurance that I am being treated fairly in terms of gas prices. What I want as a consumer and for the people I represent is that I get a fair shake for my hard-earned dollar."

Yesterday in this Legislature the Treasurer said, "There seems to be no logic to the pricing whatsoever." The people of eastern Ontario are asking this government to stop



dragging its feet on this crucial issue and tell us the action it plans to take to solve this problem.

**Hon Mrs Carter:** First, I would like to say there has been no gouging. We do monitor this. I believe if the member opposite looked into the profit rates of the oil companies recently he would find that they were below the average profits of other companies, considerably below.

As I just explained, this is a complex situation. If the member opposite can think of some means of solving this problem, I would be very happy if he would let us know.

**Mr Runciman:** It is astonishing to hear this minister standing up and defending the oil companies in this province. In my riding this past weekend gasoline prices have gone from 47.7 cents a litre to over 55 cents a litre, indicating that they are going to take advantage of consumers over the holiday weekend.

I have a confidential cabinet document here, which I will send over to the minister; it indicates that this government plans in the upcoming budget to reduce gasoline taxes in northern Ontario by three cents a litre. They have another significant range of options they are planning for northern Ontario. There is no mention, no reference to eastern Ontario. This minister purports to represent eastern Ontario, along with the other lone cabinet colleague, I guess, the member for Ottawa Centre. Obviously they are not speaking up loudly enough around the cabinet table, because the Treasurer and his other four cronies from northern Ontario obviously are having much more influence.

Can the minister assure at least those of us representing eastern Ontario that the people of eastern Ontario are going to get the same break that her five colleagues from northern Ontario have arranged for their part of the province? The minister should assure us of that today.

**Hon Mrs Carter:** If the member opposite knows of a cabinet document saying that, then it is certainly news to me, I have to say. We are studying the problem; we do have certain ideas that we are pursuing. No decision has been made on this as of this moment. As I say, if the member knows of that decision then he is certainly ahead of us.

**Mr Mancini:** I will not be standing up today to defend oil corporation profits. I will leave that to the Minister of Energy.

#### ECONOMIC POLICY

**Mr Mancini:** I would like to direct my question to the Premier. Yesterday I asked his Treasurer about the integrity of his anti-recession program. His answer was most disappointing. Even though welfare costs and cases in Essex county have risen just under 60% and unemployment levels in the area are just under 14% and recently have been the second highest in all of Canada, we in Essex county have not been allowed to participate in the educational capital grants portion of the anti-recession campaign.

The Minister of Education, in the Wednesday 27 March edition of the Windsor Star, stated that no money flowed to the two Essex boards because they did not have their act together. It is the Minister of Education who does not have her act together.

Is the Premier's anti-recession program designed to help the unemployed, or is it a tool by which ministers punish communities and the unemployed for holding an opinion that differs from the his government's? What are the standards being used to administer the government's anti-recession program?

**Hon Mr Rae:** The member's allegation against this government and presumably against this first minister is one that I would normally ignore, because if he really believed it, it would say so much about the lack of mutual respect between members in this House, which I do not really believe. I do not believe that in his heart of hearts the member really believes this government would, for an instant, take a view about a particular region or a particular proposal or a particular county or a particular school board for any reason that could not be explained or did not have a simple approach.

We all say things, and I just want to say to the member that I was in Windsor last week with my wife. We were received warmly by people as well as by a number of demonstrators who were concerned about the school board situation. I have had a similar situation in my own constituency in the west end of Metropolitan Toronto as a result of Bill 30, which all members of the House, all three parties, supported. We are about to appoint a mediator in an effort to resolve the school board situation.

**Mr Mancini:** You misunderstood me.

**Hon Mr Rae:** No, I did not misunderstand.

**Mr Mancini:** Yes, you have.

**Hon Mr Rae:** No, I did not. The member says I misunderstood. I did not misunderstand a thing. I will say to the member—

**Mr Mancini:** Some briefing.

**Hon Mr Rae:** I am briefed. I have got the papers right here with respect to the projects in Essex county and in Windsor. We have allocated over \$15 million in addition to the moneys we forwarded to Windsor for other projects, which are proceeding.

With respect to the question of Essex county, I can only say there are more projects which will be announced, but there has been a determination and an effort to be as fair as we can with respect to the \$700 million that is to be spent across the province and more money and co-operation with others. I have enormous respect, as does this government, for the people who live in Essex county, and I believe profoundly that they deserve the same kind of justice and the same kind of treatment as people who live in all other parts of the province. That is the approach we are taking to this question, and I want to give the member my personal assurance in that regard. I cannot believe that in his heart of hearts he would really think otherwise.

1450

**Mr Mancini:** With all due respect to the Premier, whom I listened to very attentively, I say that his own ministers of the crown were the ones who linked the school transfer problem with the anti-recession program. I did not do that. It was the Minister of Education, in reference to Essex county not receiving capital grants from the



anti-recession program, who linked it to the school transfer problem. It was the honourable Minister of Municipal Affairs, in a recent column in the Windsor Star, who said, and I want to paraphrase it—I do not have the article with me; I will send it to the Premier gladly—that the boards knew a week ago the reason why they were not going to get any money. The Premier should get these articles and read them. Yesterday in the House the Treasurer even alluded to the fact that something had to be done in order to alleviate the school transfer problem.

In view of the fact that his own ministers have linked the anti-recession program to the school transfer problem, I want to ask him, is this fair, when the school boards were interested in moneys at the elementary panel that did not even have anything to do with the school transfer problem? Will the Premier bring a measure of fairness to the decisions that are being made by his Minister of Education for the people of Essex county? Will he review the entire situation to see why the Essex County Board of Education and the Essex County Roman Catholic Separate School Board were the only two out of 21 in all of western Ontario not to receive a single penny from the anti-recession capital program? Will the Premier make that commitment?

**Hon Mr Rae:** I say to the honourable member that I am determined to be fair and to play a role, and I hope he is as well. In a situation that is as difficult as the one we are facing, the local member can play one of two roles; he can play a constructive role or he can choose to try to make things more difficult. It is as simple as that.

I can go through the list: Dufferin county, Haliburton county, Haldimand, Halton, Hamilton, Haldimand-Norfolk Roman Catholic Separate School Board, Hamilton-Wentworth Roman Catholic Separate School Board, Norfolk, Wentworth, York Region Board of Education, York Region Roman Catholic Separate School Board, Ottawa, Chapeau—many boards were not successful in the competition. But the suggestion that the member is making—

**Mr Mancini:** There are three ministers who made the decision.

**Hon Mr Rae:** No, the member is making a connection that is quite unjustified; it has no foundation in fact and it has no foundation in the real situation. I regret very much that he has done that. I do not think it has contributed to a successful resolution of the issue. We will endeavour to work hard, and I encourage the member to do the same. Of course, in answer to the honourable member's question, I will endeavour to be as fair as I can and to ensure that fairness is applied across the board.

**Mr Mancini:** On a point of privilege, Mr Speaker: During the Premier's answer he said my comments with regard to the three ministers and their linkage of the matter which I am speaking about had no foundation in fact. That is more or less saying that I am not being truthful to the House.

I would like the Premier to review the news clippings from the Windsor Star of the past week and the Treasurer's comments of yesterday. He will see that they are the three who linked the matter, and not myself, and it is his

minister's conduct that has caused the problems in Essex County and he should have—

**The Speaker:** Would the member take his seat, please?

The member from Essex South rose on an alleged point of privilege. It certainly is a point of difference of opinion, no doubt; it is not a point of privilege.

**Mr Mancini:** I just told the facts, not opinions.

**The Speaker:** New question. The member—

**Mr Mancini:** Mr Speaker, on a point of privilege—

**The Speaker:** Is this on the same matter?

**Mr Mancini:** Yes, it is on the same matter.

**The Speaker:** Would you take your seat, please?

**Mr Mancini:** No, Mr Speaker, because I have a right—

**The Speaker:** Excuse me, would you take your seat, please?

Interjections.

**The Speaker:** I would appreciate the attention of all members for a moment, please.

**Mrs Marland:** Could we have more time?

**Hon Mr Wildman:** Wait a minute. You cannot break the rules and then have more time.

**The Speaker:** I draw to all members' attention that it is a long-standing practice, both in this Parliament and others, when the Speaker requests a member to take his or her seat, that that be done as promptly as possible. It is the Speaker's responsibility to listen to points of privilege or order and to hear the member out fully, and then to reach a decision either to deliberate on the matter immediately or to take it under consideration for a reply later to the House.

I heard the member for Essex South, I made a deliberation and I delivered that to the member, and I would really appreciate if all members would respect our long-standing practices in this chamber.

**Mr Mancini:** Mr Speaker, I respect your decision. What I do not respect is the Premier's saying I am not delivering the facts to the House. That is what I do not respect. He should know better. He should read the newspaper clippings. It is all there for him to read. All they are asking for is a little bit of fairness.

**Hon Mr Cooke:** There is no use getting thrown out, Remo; there is no local TV.

**Mr Mancini:** It may be a big joke to you guys, but it is not a big joke to me.

**Mrs Cunningham:** Mr Speaker, this happened yesterday and we are trying to get our questions on. Would the Speaker consider returning two minutes of the clock? It was not our problem that this interjection took place.

**The Speaker:** To the member for London North, whose point I very much appreciate, I had stopped the clock at the point when the difficulty arose, so no time was—

**Mrs Cunningham:** I was watching the clock because we are having difficulties here getting our questions on. I think it was almost two minutes.



**The Speaker:** The table informs me that at the point of the exchange there were 15 minutes remaining on the clock. We will add one minute to the time, which puts it back to 15:11.

New question, the member for Dufferin-Peel, who has been waiting quite patiently.

#### RENT REGULATION

**Mr Tilson:** Thank you very much, Mr Speaker; I have been waiting for some time. I would like to direct my question to the Minister of Housing with respect to the failure of his ministry to comply with the housing laws of this province.

I would like the minister to explain the embarrassing out-of-court settlement with two London landlords who went to court to force his ministry to process rent increase applications immediately and without regard to any pending or unproclaimed legislation such as Bill 4. In doing this flip-flop, of course, the ministry paid the court costs of this application by these landlords.

Does the minister now believe that people have to sue this government to uphold the law?

1500

**Hon Mr Cooke:** I would indicate to the member and explain to the member, and I am sure as a lawyer he understands, that the agreement the Minister of Housing reached with the landlords involved was not a precedent. It was nothing. What we indicated to them was simply that we would deal with their applications for rent review in the order that they came in. Since Bill 51, the old legislation, is so complicated and the waiting list to deal with those cases is so long—cases are still in place to be dealt with well before 1 October, which is the effective date for the new bill, Bill 4—we have no particular problem at this point. We will deal with them as they come in order.

I would indicate, though, to the Housing critic for the Conservative Party, and certainly also to the official opposition, that as we deal with the old cases under Bill 51, eventually the 1 October date will become a problem if we do not get on with passing Bill 4, and if they continue to hold it up, as both of the opposition parties have, tenants will not be protected and there will be unfortunate casualties because they are holding up Bill 4.

**Mr Tilson:** The minister knows perfectly well that everything stopped when Bill 4 started. It absolutely stopped, and the minister directed his staff to stop all applications. It took these two landlords to sue him to get him moving.

Would the minister not agree that this case, a humiliating reversal of his previous position, seriously calls into question the legal soundness of Bill 4's retroactive provisions? Will he now, immediately release the legal opinions he has to date refused to release, and which he has denied to me under the freedom of information application, which, of course, I am now appealing?

**Hon Mr Cooke:** I would just reiterate what I said. The agreement, the out-of-court settlement that was reached, was simply an indication that we will deal with the rent review applications under Bill 51 in the order that they came in. There is nothing in that agreement that affects the way that the ministry—and I had already instructed the ministry—deals with the applications.

I would just ask the member to read the agreement that was reached instead of simply taking the Fair Rental line that he is taking in the House here today.

#### PLANT CLOSURE

**Mr Wood:** My question is for the Minister of Industry, Trade and Technology. Spruce Falls Power and Paper Co., which is located in the community of Kapuskasing, is undergoing severe difficulties. As it falls within my riding, I would like to know what the minister's plans are to help the people of Kapuskasing and other towns along Highway 11, including Cochrane, Smooth Rock Falls, Crow Creek, Strickland, Moonbeam, Val Rita, Mattice, Opatatika and Hearst.

**Hon Mr Pilkey:** I can very much appreciate the member for Cochrane North's concern and the concerns of the residents that he represents. I want to assure him that this is a matter of priority within my particular ministry and that we are meeting with all concerned stakeholders with respect to this particular issue. We have met with the employee purchase group, the shareholders and in fact formed an interministerial committee to deal with the problem.

As the member is aware and I am sure all members of the House are aware, we have a problem here that is very complex. It bridges beyond the circumstance that there is simply a problem with the business itself. It also involves a concern in a matter with Ontario Hydro with respect to an environmental assessment which will take an amount of time that bridges past the amount of time that has been indicated by the company that it is prepared to give to solve this particular problem. So this dilemma confronts us.

I would add as well to the member for Cochrane North that I indicated to the House last week that we would be receiving a business plan—as a matter of fact, I believe it was last Thursday—from the employee purchase group that we would review and also share with the shareholders of Spruce Falls in an attempt to see how we might bridge these difficulties to the benefit of the people of the member's riding and the surrounding areas. I can assure the member that we will continue to do that and report to him as soon as that business plan has been reviewed.

**Mr Mancini:** Point of privilege.

**The Speaker:** New question?

**Mr Mancini:** No, this deals with the facts. Yes, Mr Speaker.

**The Speaker:** Take your seat, please.

Interjections.

**The Speaker:** Would the member take his seat, please. This matter, which you raised earlier, I deliberated on. I informed you that it was not a matter of privilege and if you wish to see me in my chambers beyond question period I would be more than delighted to meet with you.

#### PLANT CLOSURES

**Mr McClelland:** My question is for the Minister of Labour. He would probably be aware, and I am sure he is, that today Canada Packers is shutting down in Brampton. One hundred and twenty-five men and women will be put out of work. Obviously any action that may be forthcoming from him or his ministry is too late for them.



Let me take a moment and draw his attention to the situation, the status of the Caterpillar tractor plant in Brampton. That plant is in my riding. The American headquarters, he may be aware, is considering closing the Brampton plant. That would put 400 people out of work. I happen to know for a fact that many of the workers have been in touch with the minister's office, have communicated with him. In fact, the former NDP candidate, who very graciously ran against me in the last election, has contacted the minister for help. He has beseeched the minister personally for help.

What, if anything, is the minister doing? What kind of answer can the minister give that he has done for those people? It is too late for the people at Canada Packers. What is he going to do for the people at Caterpillar tractor, the 400 men and women who face losing their jobs by the middle of next month? What is the minister doing for them?

**Hon Mr Mackenzie:** I think the member will realize that what is happening in our province is a devastating price that we are paying for the free trade agreement and the high dollar and the interest rates. I think he will also know that he may be getting the calls in from his riding or neighbouring ridings. I am getting them in from right across the province. I am well aware of the problem that he is raising with us today. I want to tell him also that within our jurisdiction we are doing and will do everything that we are able to do.

We set up the minute that we know, and indeed in advance of the closures in many cases, the labour adjustment committee within the plant to try to start cataloguing the skills and what is needed for the workers. We assist the health centres in the communities to provide counselling and help and direct the people to programs. We have enriched the Transitions program and are continuing with the program for older worker adjustment, the older worker program. We will take every action that we can to assist these workers within our mandate. Very shortly we will also be debating in this House, I hope, the support for workers in closures and plant receiver and bankruptcy situations.

In terms of stopping the plants, we are looking—that will take a little longer—at legislation as to whether or not there is anything that we can do in terms of longer notices and a look at the specific plants. We are really facing a situation that also involves the federal authorities in terms of the branch plant economy that exists in this province, and there is not an awful lot we can do specifically about that.

**Mr McClelland:** I would like to remind the minister, and I am sure he need not be reminded—he has been reminded many times by my colleagues of both parties on this side of the House—of his Premier's election promise to bring forward measures to protect workers facing job loss due to plant closures. In fact, two weeks ago I sat at the meeting of the local union and had the president of the local stand up and say, and I repeat to the members what he said: "It is all right, brothers and sisters. I stood proudly with the Premier on the steps of the Legislative Assembly yesterday, and he is going to take care of us." Two weeks

ago Sunday he told them that, and 125 of those people are out of work today with 300 more coming in a few weeks in my riding.

It is fine for the minister to say all the wonderful things he is going to do. Two years ago in opposition the minister said that he could not afford to allow this to be fluffed off on the feds or any other excuses. It is not good enough. It was not good enough then, it is not good enough now.

What is the minister going to do? It is too late for the people at Canada Packers, 125 men and women out of work now; 300 more, possibly 400, in two and a half, three weeks, out of work. What is he going to do? What can he tell them? He could stand in his place in opposition and promise all the wonderful things. He stood and said it. His Premier said he was going to do it. When is the minister going to deliver?

1510

**Hon Mr Mackenzie:** To the best of our ability I can tell the honourable member we have already started to deliver. We started to deliver in putting in place the capital works programs. We started when we put in place \$32.5 million of new money for training programs and upgrading skills programs, in setting up the office of labour adjustment, and we will shortly be following through with some of the protection legislation I talked about. All of these things we are doing. We will do the best we can, and that is the best we can do.

#### TIRE RECYCLING

**Mr Cousens:** The question is for the Minister of the Environment. Well over \$100 million has gone into the province's general revenue fund from the Ministry of the Environment. This money that was announced by the former Treasurer represents the \$5 Ontario scrap tire tax, and yet of that \$100 million that has gone into the Treasury, less than \$10 million of this amount has been dedicated to tire recycling initiatives. While the Ministry of the Environment grapples with the politically correct solution to this problem, old tires are spinning into the landfill sites at a rate of seven million per year. The minister's scrap tire advisory council appears to be in limbo with members having resigned in frustration. Creative ideas for recycling tires are sitting on some bureaucrats' desks, and millions of tires are being stockpiled and buried just waiting for another Hagersville to occur.

Will the Minister of the Environment please tell us what she is doing with these millions of dollars and, more specifically, how much of it is being used towards recycling tires.

**Hon Mrs Grier:** The assumptions in the preamble to the member's question, I think, do require some response. First of all, regrettably, it is not money from my ministry going to the Treasurer; it is money that flows the other way, because the previous Treasurer set up the fund in such a way that all the money goes into the consolidated revenue fund and is then allocated to the Ministry of the Environment.

The other thing I would like to correct in the preamble is that the scrap tire task force is by no means in disarray. It is working very well and very constructively to try to



find both long-term, short-term and intermediate-term strategies for dealing with the very incredible and very large problem of scrap tires.

Not all of the money that has been allocated to this ministry has been spent, because what we have done is invest in some very interesting projects, and I think projects that have the potential to provide a solution to this problem. One of them, for example, is replacing the aggregate in asphalt by crumb rubber that is being developed by some companies. We funded a company that makes sport tracks reusing some of the tires. But many of these are pilot projects for which a market has not yet been developed, and even though it is money collected by a tire tax, it is still public money, and I am not prepared to spend it irresponsibly, or to spend it until I have developed solutions that I know are going to be solutions to the problem.

**Mr B. Murdoch:** My supplementary is to the Minister of the Environment. It is nice to hear about all these wonderful things that she is supposedly spending this money on, but garages and tire salesmen are upset. She regulated them to have to collect the \$5. Now they are charging people another \$3 to \$5 to get rid of these used tires.

What is the minister going to do about the 55,000 tires that are buried in Grey county on prime agricultural land without any environmental studies, condoned by her ministry and supervised by her ministry, and the other 30,000 tires that she has ordered to be done? Will the minister today give her commitment to the House that she, with the Treasurer, will take this more than \$100 million and put it into the fund to alleviate these problems, the money that this ministry was supposed to use? Will she give the House a commitment today to use that money?

**Hon Mrs Grier:** I am well aware of the problems there are in locations for tires that have been improperly stored for many years but it was not until after the very tragic Hagersville fire that the Ministry of the Environment even had an inventory of where tires were being stored and began to put in place precautions to make sure we did not have another Hagersville by working with the Solicitor General to beef up the fire code and to make sure that, where tires were stored, they were stored safely. We did not even have regulations that regarded tires as hazardous waste before Hagersville.

What we are doing in the short term is making sure that all of the locations where tires are deposited are safe and secure and will not cause another Hagersville fire. Then we are looking to see what we can do to find uses for those tires. Just throwing \$100 million at it, I regret to say to the honourable member, would not solve the problem, because we do not yet have the solutions. What we are doing is investing the money by giving it in grants to companies that have ideas that can reuse them by initiating and supporting the development of markets, by putting security on some of those sites that are not well secured and by developing, in the short term, a safety strategy; in the intermediate term, a strategy for beginning to get rid of the backlog; and in the long term, a strategy that will reuse all of the tires within this province.

**Mr Elston:** Mr Speaker, I rise on a point of order, although I suspect it is probably a point of privilege. Yesterday I stood and requested some assistance on behalf of all the members from the new Minister of Consumer and Commercial Relations. I am pleased to congratulate her on responding positively to our request. I thought it was only fair, since I raised the issue, that I also extend our thanks to her.

**The Speaker:** It is good to hear compliments in the House.

## ORDERS OF THE DAY

**Hon Miss Martel:** Mr Speaker, there has been agreement among the three House leaders to change the order. We would like to proceed with the 40th order and do second and third reading of that bill today.

### TOWN OF MARKHAM ACT, 1990

Mr Cousens moved second reading of Bill Pr38, An Act respecting the Town of Markham.

Motion agreed to.

Mr Cousens moved third reading of Bill Pr38, An Act respecting the Town of Markham.

**Mr Cousens:** In moving third reading of Bill Pr38, I would like to thank the House. Yesterday we were in the standing committee on regulations and private bills. The committee unanimously supported this bill. It is an important bill to our community and is very similar to the one that was brought forward in this Legislature on 20 December by the member from London, as well as similar to a bill in the city of Toronto that gives extra protection and assistance to municipalities in protecting heritage buildings.

In presenting this today, instead of receiving the quick, fast-track support of this House, there are a number of permits, demolition permits, that are in our own community right now that could be stayed for at least a short time. What we are seeing in this bill then is that all applications for demolition permits will go before the town council for approval.

1520

**The Speaker:** I am sorry to interrupt the member for Markham. This is a matter which is of some importance, and it would be appreciated if the collection of various conversations could find some other location or at least reduce the level of sound so that the member for Markham can continue with his remarks.

**Mr Cousens:** Thank you, Mr Speaker. I just know that they are so agreeable today with there being a day off on Monday. They are all just getting ready for their weekend plans.

As we look at this important bill to our community, it certainly will give our town an opportunity to look at any demolition permits that will go before town council. Town council will then have an opportunity to refuse an application for demolition and prohibit any work from being done to demolish or remove the building structure without there being a long-term plan for that property. It also increases the maximum fine for demolishing without a permit.



It is something I think, and certainly in talking with the member for Mississauga South and other members of our caucus, and even on the committee, that may well be an issue that the whole Legislature will want to look at, where there will be a bill brought forward for all municipalities to have some kind of protection to protect their heritage buildings.

In presenting this bill for consideration, I appreciate the support shown already by members of the Legislature and certainly hope that as it is considered today, it will be considered very quickly by other powers that be so that some of those buildings that have bulldozers standing by ready to knock them down will have an excuse to stop, especially since we have proceeded so quickly on this.

Motion agreed to.

#### REGIONAL MUNICIPALITY OF OTTAWA-CARLETON STATUTE LAW AMENDMENT ACT, 1990

Mr Cooke moved second reading of Bill 32, An Act to amend the Regional Municipality of Ottawa-Carleton Act and the Municipal Elections Act.

**Hon Mr Cooke:** I will be very brief on this bill. Bill 32, the Regional Municipality of Ottawa-Carleton Statute Law Amendment Act, will implement the election at large of the chairman in the regional municipality of Ottawa-Carleton. In other words, all qualified electors across the region will have the opportunity to vote directly for the candidate of their choice for the position of regional chair. This change will take effect for the municipal elections to be held this year.

This legislation also gives the chair a regular vote to vote on any matter before council; however, the right of the chair to cast a tie-breaking vote has been removed.

The clerk of the city of Ottawa, the largest municipality in the region, will serve as the chief electoral officer for the election of the regional chair.

In the debate which followed the Bartlett report and in the letters I have received since becoming the Minister of Municipal Affairs, one thing has become evident: There seems to be a general agreement that a position as powerful and as important as the chairman of the regional council of Ottawa-Carleton should be directly accountable to the people of that region. Permitting every qualified elector the opportunity to vote on who will serve as the regional chair will simplify and clarify the link between the chair and the electors.

I know there are concerns, and I agree with the concerns, about the election expenditure limits. The reason that item has not been specifically dealt with in this piece of legislation is that the formula that calculates how much money can be spent by candidates at the municipal level is part of the municipal election expenses law. We have committed ourselves to studying and consulting on that law over the next couple of years for the 1994 election.

The member for Oriole raises her eyebrows at that comment, but she will understand, as I do, that some amendments were made for the 1991 election. That law was passed just before Christmas. There could not be further and more extensive changes and not have consultation, and we did not have time from 1 October to

December to have consultation on major changes in the election expenses act.

If she wanted to see more extensive changes in the municipal election expenses act, I would have expected that they would have been in the legislation we dealt with before December, since I simply accepted the amendments that had been presented by her party. The entire package was put together by the former Minister of Municipal Affairs, John Sweeney. If she was not satisfied with that package, she was a member of the cabinet in the former government and that package should have been more extensive, as we said we would like to see it.

Over the next couple of years we will be looking at limits. We will be looking at things like contribution credits and how people can participate to a greater extent in that process. But in the meantime, we had to make some response to the Bartlett report and the Graham report that was commissioned by the former minister.

As I explained when this bill was introduced, this is not, as I will fully admit, an extensive response to the Graham report, but the time limits, in my view, were just simply unacceptable. I received the Graham report on the Friday before the cutoff for introduction of legislation into the Legislature in December. As members know, we cannot introduce and debate legislation during the last two weeks that the House sits at the end of a session. Then I had to wait a week to have that report translated into French and release the report, and then get some response; to say immediately we were going to respond as a government with extensive changes to the Regional Municipality of Ottawa-Carleton Act, and no consultation with other people at the local level, I think would have been unacceptable for a new Minister of Municipal Affairs.

I think the major problem was the type of time frame that the previous government had put in place. The Graham commission was appointed in July 1990 and then the deadline to respond was 30 November. If the previous government was serious about substantial reform in Ottawa-Carleton, I think it would have got on with it before July 1990.

I do believe very strongly that in studying boundaries, whether it is at the federal level for electoral boundaries, or whether it is at the provincial level or the municipal level, there has to be extensive consultation. When we do it at the provincial level, members will know that a commission is appointed. They put out some suggested boundaries, they have public hearings, they then come back and redraw the boundaries and then they put those out for feedback and consultation. Then they draw the boundaries for a final time, which are then reported to the Legislature and legislation is introduced to enact them.

In the Graham process there was consultation. She drew the boundaries, they were submitted to me and that was the expectation for implementation. I do not believe that is proper, adequate consultation with the people who live in Ottawa-Carleton.

I know there are some people in the region who are not entirely satisfied, but I also know that there are a lot of people at both tiers of government who have expressed to me that they would rather us go this route with limited



reform now than to have implemented all of Graham and have not had the adequate consultation with the locally elected people.

So I admit that it is an imperfect process, but I believe that it is a better process to go this way, this limited reform route now, and then after the municipal elections are completed this year, to work out with the locally elected people and the MPPs from the Ottawa-Carleton area a process whereby we can look at the more extensive reform for the 1994 election.

1530

**Mr Daigeler:** First of all, let me say I appreciate that the minister is acknowledging that this initiative today is a very limited one and that he intends to introduce further reforms and that he seems to agree with the people in Ottawa-Carleton and with the previous government that a look at the effectiveness and the accountability of the regional government is needed.

I think implied in his statement is also the recognition of the value of the regional government in Ottawa-Carleton. There are people in our area who question the very essence of the region, and I, for one, am not one of those who says we should do away with the regional government. I think it fulfils an important purpose of co-ordination and leadership for certain services in the Ottawa-Carleton area. There is always room for improvement, but I think the fact that we have a regional government is a good one and it would seem to me that the minister is agreeing with that.

The minister's objective, as he has stated, is to make regional government and the chairman more accountable to the people. Again, there would be few people who will quarrel with this objective. I think all of us will agree that in a democratic society there should be an opportunity for the people to express themselves on the functioning and the work of their representatives, and the regional chairman is certainly one of them.

I think in principle, again, I share the objective of the minister and in fact it was one when we were in government that we were looking at as well. In fact not only did we look at the question of accountability, we also looked at this proposal of the election of the chairman. I can tell him that it is not a black and white issue. I think reasonable people can argue that, yes, the election of the chairman at large will make the position of the regional chairman more accountable, and I think there are also reasonable people who will take the opposite side.

I do not think this particular bill is one on which the government will have to stand afoot, so I am prepared today to support the minister in this initiative.

Nevertheless, I personally have some very serious reservations and I am rather sceptical, but I am prepared to give it a try. I am very sceptical that in fact the minister will achieve his objective with this particular initiative.

I am aware that, for example, my own city council, the city of Nepean, has voted in favour of the election of the regional chairman at large. On the other hand, I feel that the real problem is the election of the full regional council and to make the whole regional council in Ottawa-Carleton

much more visible and in fact more accountable for its actions, because up to now I think the chairman in Ottawa-Carleton has been somewhat of an easy scapegoat for decisions that were actually taken by regional council.

Right now the regional chairman in Ottawa-Carleton does not even have a vote, so obviously the decisions by the region are taken, first of all, by the executive, and second, of course, by the over 30 regional councillors, who to some extent are elected and to another extent are simply appointed. I may remind the minister that at the present time the regional chairman will only vote when there is occasion to break a tie. So in my opinion, regional councillors in our area have found it convenient at times to hide, when there were unpopular decisions, behind the chairman and to put the blame, as it were, on the regional chairman. With the election of the chairman at large, I think this will be even more the case, and I think that is unfortunate.

I think really where the problem lies and what the minister should have done is to make sure that the regional councillors, all of them, are much more clearly identified in the public's mind as being responsible for the decisions which in fact they are making right now. I think the only way to do that is to make the public more conscious of the fact that the people who are responsible and who should be responsible for decisions of the region include not just the chairman but the whole council.

I am sure that the minister, from his philosophical orientation, will agree with me that we do not want to create some sort of a king of Ottawa-Carleton who can reign just at his discretion. I think that will be the furthest away from the minister's mind. I do not think it necessarily has to happen, but I am afraid that with this simple and singular reform—and that is all that the minister is doing at the present time—that is in fact what will happen. We will see the role of the regional chairman becoming strengthened further, even more, in a sense, absolute, and I am worried about that. I do not think that is the right way to go.

I think it is unfortunate that the minister did not concentrate his efforts on the reform of the regional council. In fact this is what many of the, non-partisan advisers who had been asked by the previous government to study this question have said.

For example, Katherine Graham was a very distinguished professor of public administration at Carleton University. She has precisely made that point, that she is worried that electing the chairman at large will make that person and that office even more powerful than it is already at the present time. After all, there will be over 300,000 voters who will be voting for that person, and afterwards that person certainly will be able to claim a very, very strong mandate. Not even the Prime Minister in this country can claim that kind of a mandate, so Katherine Graham advised against that.

Also, David Bartlett, who has done a very extensive study of this matter and has done a lot of consultation, clearly spoke against this. Perhaps, if I may, I will quote from an article that he recently wrote. It appeared in the Ottawa Citizen as well, and I sure hope that the minister has seen it. I hope the member for Ottawa Centre brought it to the minister's attention. Here is what he has to say,



David Bartlett, who did the study upon which the previous government based its recommendations and its initiatives of reform:

"In politics, perception is everything. At present, the regional chairman appears to the public as a rather remote and insensitive functionary, more bureaucrat than politician. He accordingly serves the council as a very useful lightning rod, attracting criticism of regional performance and sending it to ground while the other councillors, who are in fact responsible, escape unscathed.

"Councillors score brownie points by publicly blaming their chairman for all the real and imagined sins of the region. Meanwhile they quietly support him"—or her, if an election is intended by the new government—"where it counts, with their seldom-reported votes on business coming before the council."

So Mr Bartlett makes precisely the point and expresses precisely the fear that I am putting forward today. Then he goes on to say:

"Direct election will change all this. The chairman will not be responsible to the council but only to the votes, and then only if he stands for re-election."

Again, or if she stands for re-election. "Between elections, he is accountable to nobody at all, and there will be no built-in mechanism for resolving a deadlock between chairman and council."

I agree and I share that fear expressed by Bartlett, that fear expressed by Graham.

On the other hand, I am conscious of the fact that there are a fair number of people who perhaps have not looked at all the consequences of this particular initiative who are in support of electing the chairman at large and they are willing to take this risk.

The minister is saying he could not do that wider reform, with which he agrees, because he did not have the time. Well, he had the time from Christmas until now to bring this bill forward. Why did he not have the time to continue the consultations on the Graham report? There were three months. There was a lot of study already done before. Graham herself went to all the councils in Ottawa-Carleton and did extensive consultation before she arrived at her recommendations, and the minister still had from Christmas until now to do further consultation with the people in Ottawa-Carleton. So why is he saying that he did not have enough time to really make a major change to what I think is most needed, and that is to make all the regional council more visible and more accountable to the people of Ottawa-Carleton?

1540

My municipality, the city of Nepean, in fact has for a long time had a direct election of regional councillors. Quite frankly, we are quite satisfied with this system and we will certainly continue to have that. However, the other municipalities do not have this kind of election. To tell members the honest truth, even in Nepean I have met people, and they come to me on a regular basis, who despite having elected and participated in an election for regional councillor still are not that conscious, not that aware who their regional councillors are, because there are also municipal councillors and usually the people identify more

with their municipal councillors. So I often have to point out to people that really this particular concern is one that your representative, your regional councillor is looking after and is elected to make decisions on.

In my opinion, there too, even though in Nepean we have had elections, there is still the need to make all the regional councillors more visible, more clearly identified with the decisions that they are taking at the present time and that they will be taking in the future, and those decisions, and I think we are all agreed on that, are becoming even more important. There is a lot of money involved and a lot of major decisions that are being taken by the region. I think anybody who is following the municipal scene will agree with me that this is in fact the case. Environmental services, transportation, all the overarching planning issues for the region, those decisions are taken by the region.

Therefore, I am disappointed that the minister failed to proceed with the reform that we introduced, with the very valuable work that was done by a very independent adviser, Professor Graham, and that he failed to put forward a comprehensive reform that would address that problem which is the issue in Ottawa-Carleton, and that is to make all of the regional councillors accountable and visible for the decisions that they are making.

I will not go on, because there are some other members who wish to put their views on the record. As I said at the beginning, this issue is one that members can have different opinions on and they may be prepared to say, "Well, I'm willing to risk and see whether it works out." In that regard I am prepared to say he is the minister, he has made that decision and if he wants to take that responsibility, I am prepared to support him in this. I will certainly continue to argue for further reform and for making all of regional council visible. I do hope when the time comes that the minister will be able to achieve that which we are all interested in, and that is the accountability of the total regional council.

**Hon Mr Cooke:** I would like to take 30 seconds to respond to the member. He was indicating that we should have brought in more comprehensive change and that we could have done that because we could have brought it in now. He knows as well as I do that under the municipal election expenses act candidates are able to start registering on 1 January for election; it was quite essential that we indicated to Ottawa-Carleton what our intentions were before we adjourned at Christmas, so that individuals who wanted to run for the chair's position could declare themselves right up front and begin to look at the position. It was very important that this be in place, and that is why the time frames were essential.

The member for Ottawa East will disagree with all of this, but if he is really upset with this process I hope he said this to Mr Sweeney in the past, because if there were problems with the time lines, which there were, and if there was confusion and lack of planning, that clearly resides with the Liberal caucus and the Liberal government before we took office. We are doing the best job we can under the circumstances. I agree, Mr Sweeney and the former minister left us somewhat of a mess with this situation.



**Mrs Y. O'Neill:** I am going to respond to the member for Nepean, but before I begin to do that, I want to say I find the remarks of the present minister that we left a mess less than acceptable. There was certainly a bill introduced in this House on 17 May, Bill 168, that had been two years in consultation; it was very clear. Those are the facts and that was the way this was left. There was the Graham report that follows it—it may or may not have needed to be followed, but the outline of good legislation was there, the consultation had taken place and it did not.

To respond to the member for Nepean, I do feel that the people of Ottawa-Carleton, as he says, want to have more accountable government and they want to have their vote valued, and that is the fundamental of democracy. The franchise is certainly alive and well in Ottawa-Carleton. I feel it is not going to happen the way the voters of Ottawa-Carleton hope it will, because the regional chair—and I would like to have the term of this bill “regional chair” or “regional chairperson” rather than “regional chairman,” if I may suggest—is only one member of a larger body and only has at this point, by the bylaws of that municipality, the privilege of voting to break a tie.

It is very difficult to ask for day-to-day accountability of a person in this position, and although I do respect the wishes of the people of Ottawa-Carleton and I do support them certainly with everything that I have, I believe the government of the municipality should be more accountable. I am very, very sorry, as the member for Nepean says he is, that the reform has to be so limited, that the reform has to be so piecemeal, that the reform is related to only one position on a council that at this moment contains more than 30 members. Those are my comments.

**Mr Grandmaître:** I too will have to remind the minister or tell the minister that today we are voting on half a solution only.

**Hon Mr Cooke:** That's what I said.

**Mr Grandmaître:** This is only half a solution and we had plenty of time to do a complete job.

**Hon Mr Cooke:** You know better than that. Be fair.

**Mr Grandmaître:** The minister is absolutely right and I will give him credit, a little bit of credit, by saying the Bartlett report was on time, with full consultation of the 11 municipalities and some 30 public meetings. The population of Ottawa-Carleton as very well consulted. On the Graham report, Ms Graham reported to the minister on 18 December saying, “Minister, I have the solutions for you,” but as usual the minister and the government, the NDP government, decided to stall the issue again. I will tell members why they stall the issue.

**Hon Mr Cooke:** You're not being fair.

**Mr Grandmaître:** I will tell members why they stall the issue. I had personally maybe four or five private meetings with the minister—

**Hon Mr Cooke:** In secret.

**Mr Grandmaître:** Not secret.

**Mrs Y. O'Neill:** No, they were in the House.

**Mr Grandmaître:** They were in the House or in the dining room. I must say that I had faith in the minister, I

believed him, but on a fine Thursday morning, invited for breakfast along with my colleagues the real Minister of Municipal Affairs, the member for Ottawa Centre, he decided to go one-tier. This is unacceptable.

1550

**Mr Ferguson:** I will be very brief. I think we would recognize the bilateral review as well as the Graham report that was tabled. Although it provided some good, solid research, it certainly did not provide any consensus of direction that Ottawa-Carleton should take in the future. As a result, I think it is important not to rush into a plan for which there is not any real solid direction or consensus. I think the members are well aware of that.

I want to point out that not only Nepean but the city of Ottawa approved the election of the regional chairperson directly by the voters, as well as regional council; so this is very much a request from the local municipality to the province. It is certainly not the province dictating to the local municipality whether or not the regional chairperson ought to be elected.

In any event, some of the other local municipalities did not comment on the whole question of the direct election of the regional chairperson. However, direct election has the support of the Federation of Citizens' Associations of Ottawa-Carleton and the city of Ottawa, as I have already mentioned. The district labour council as well has endorsed the at-large election of the regional chairperson.

While the minister has acknowledged that this is only half of the solution, I think we recognize that time just did not permit us to go out there and consult with the public on a report that did not provide a lot of focus or direction on where Ottawa-Carleton ought to be going in the future. It did not even look at, for example, the whole question of whether we should be examining if Ottawa-Carleton should be a single-tier municipality rather than the present situation that exists.

**Mr Daigeler:** I had not really planned to respond, but quite frankly, I had hoped I was not going to hear those words, “one-tier government.” I presume the member for Kitchener must be the parliamentary assistant for the minister, since he is so well briefed on the issue, but I keep hearing this from the other side. I certainly heard it from the member for Ottawa Centre. I told her then, and I will tell her again, there will be very, very strong opposition from the municipality I represent, and from many others, to being swallowed up again by the people from Ottawa. If that is the intention behind this particular reform, I want to tell her, as, by the way, my council has done as well—and the minister and the member for Kitchener would want to read the new year's address by the mayor of Nepean—she would be well advised to do that to see what our situation is on one-tier government.

I want to come back, though, to what is the avowed purpose of this particular report, and that is to make the region more accountable. The minister says that he did not have time, that people needed to start raising their funds. I am really a bit astonished that the minister is so concerned about people being able to raise funds. I think they could have waited. I do not think the funding question should



prevent a major reform of making the regional council globally visible and accountable and public to the people of Ottawa-Carleton. I think that is a bogus issue and, quite frankly, I am disappointed that was not done.

I must say, and the member for Kitchener is right, there are, and I have acknowledged that, people in Ottawa-Carleton who will say, "Yes, let's try it." I am prepared to support the people in that because it is something we do not know for sure, and since the minister wants to do that, that is his privilege.

**Mr Sterling:** I do not want to go over the part of blaming the minister, whether or not he could have done something, but I think it is important to look at the process of what has happened with regard to the regional municipality of Ottawa-Carleton over the some 21 years that it has been in existence.

I supported the whole concept of regional government at the beginning, in spite of heavy criticism that did occur when these types of government were set up, with the hope that a larger government in the area would lead towards more logical and reasonable planning for the people of Carleton county, as it was before regional government was struck. The regional government of Ottawa-Carleton also includes one township of another county; I am talking about Cumberland.

It was my hope that the politicians who would be put in charge of the region would, when dealing with issues, look at the whole in most of their deliberations and plan for transportation, plan for waste disposal, plan for sewage in a reasonable and logical fashion, so the future of Ottawa-Carleton would develop in a most reasoned and logical manner.

I believe that happened for about eight or nine or 10 years, basically during the 1970s. I believe most politicians who were on regional council came to the table basically with regional concerns as their first priority. I say that not only from my observations but from talking to some of the senior bureaucrats within the regional government who have lived over those past two decades.

Unfortunately, in the last 10 years it is my belief that the regional government is now operating as a council more akin perhaps to a county council type of operation, where there is a tradeoff in dealing with political issues. Therefore, for example, if there is an issue which is centred on the city of Gloucester, woe be to the councillor who votes against the wishes of the council of the city of Gloucester. Likewise in the township of Goulbourn, the city of Kanata or whatever other bailiwick we might talk about.

Unfortunately, I think we have gone from where the intent of the structure was to have a body that would be responsible to set up good transportation routes, a good waste disposal system, to a situation where we have a fracture of intent in dealing with difficult problems.

When Dave Bartlett, who was the former mayor of the township of Rideau, in which I reside, was given the responsibility for drafting this report, he came not from just an intellectual background. I think most people have a great deal of respect for his intellectual capability, but he served as mayor of the township for about, I believe, two

terms and he was on council before that. He was the mayor for, I think, six or so years and I think he was on council for eight years.

At any rate, Mr Bartlett went to all of the various councils and presented his report to the former government. It was my understanding that first report was to form the basis for the philosophy of change to the regional government of Ottawa-Carleton. The thrust behind his report was to say to people who wanted to be on the regional council of Ottawa-Carleton, "You are first a regional councillor and you are second a local politician." Therefore he said to places like the township of Rideau and other municipalities, "We will make up a number of the people who sit on Ottawa regional council to run specifically for the regional post."

To my knowledge, there is only one municipality, the city of Nepean, which specifically designates three regional councillors who are elected solely for the job of sitting on regional council. In the city of Ottawa, if you are the alderman for a ward, you are then made regional councillor. I am not sure what the situation is in the city of Gloucester, but I think it is changing to the model the city of Nepean has.

1600

So the thrust of Mr Bartlett's report was to say that each mayor of each council would be a member of regional council, but that the majority of the members of regional council would be elected primarily as regional councillors. The thrust of his report—and in my subsequent discussions with him, because I do believe he is a friend and a supporter of not only myself but all members of this Legislature and wants to see the right thing done—was to have these regional councillors elected.

I believe he considered the popular option which has been offered to us today; that is, to elect the regional chairman at large, have the whole 600,000 people in Ottawa-Carleton elect the regional chairman. He rejected that notion because he thought it would be too expensive to do that for one individual and would put that individual, perhaps, in the hands of the wrong interests. I am speculating on his reasoning.

I think he also has, as I have, concerns that this bill will lead municipal politics directly into party politics in this province. There can be no question that an individual who runs for regional chairman is going to need a sophisticated political machine in order to be elected. It may not happen this election and there may not be endorsement of candidates by political parties this first time through, but I predict it will happen either in the next one or perhaps the third.

The election of the regional chairmen is equivalent to running in eight provincial ridings. Mr Speaker, you and I know how much organization it takes to run a campaign in one of those ridings. It is equivalent to six federal ridings as well.

**Hon Mr Cooke:** How many provincial ridings in the city of Toronto?

**Mr Sterling:** My friend the minister asks how many ridings in the city of Toronto, and I thought of that comparison as well. But when you run for the mayor of the city



of Toronto, you do not represent farmers, you do not represent municipalities which are not serviced on water and sewer, you do not represent people who have very many different and diverse interests across a very large geographic area. Ottawa-Carleton, from one corner to the other—I actually represent an area which goes from one corner to the other because of the shape of my riding—is probably a distance of 60 or 70 miles. You go from Marionville almost to Arnprior.

I would argue that the type of organization you will need to run a campaign in Ottawa-Carleton for the regional chairman will far outstrip what you would need to run as mayor for the city of Toronto. I really believe that.

I accept the minister's argument that he did not have time to properly wrap his mind around this particular issue and come to a decision. I would have preferred him not to do anything for the next election. I would have preferred that, because notwithstanding that there is a lot of popular support for the election at large of a regional chairman, I believe there are perhaps more mistakes to be made by doing that than by not doing anything at this time until you can take care of the whole matter.

One of the fallacies of the minister's arguments relates to the Graham report. The Graham report does not set out the philosophy of how regional government in Ottawa-Carleton should be changed. The Graham report is only an implementation report. Therefore the importance of the Graham report, in my view, does not match the importance of the philosophy set out by David Bartlett in his earlier report. I do not lessen the importance of drawing boundaries, but her task was confined and her instructions were much more direct.

Therefore I believe the major consultation had taken place prior to Mr Bartlett releasing his report, so had I been placed in the privileged position of bringing forward a bill, I would not have hesitated so much in accepting Ms Graham's report. If I had wanted to go ahead at all, I would have just accepted her report, drawn the boundaries as she had suggested, perhaps after a minor debate in this Legislature, and gone ahead and done it for the next election. I think what we have done now is start down a path which is perhaps going to have significant implications not only for the region of Ottawa-Carleton, but is going to set precedent in other areas of our province as to the kind of involvement of the three political parties, chiefly speaking, for support of various municipal candidates.

I am also concerned about whether the minister, who I believe might have accepted the Graham report and gone ahead, has had a reversal because of the interference of one member of this Legislature. I am referring, of course, to the member for Ottawa Centre, who I believe does not represent the interests of all the municipalities in Ottawa-Carleton. I believe she is representing the interests of the city of Ottawa and the interests of her party in that city. I believe what she is heading towards is a one-tier government, and I do not believe the citizens of Ottawa-Carleton are ready for that step at this time. So I think this bill has some difficulty to it.

I want to say one another thing. I am going to introduce an amendment to this legislation. I am going to ask

that the bill be referred to committee of the whole House after second reading. The Liberal Party has an amendment to introduce as well. This is the first time where we have really set up a municipality and an election, which is going to require a tremendous amount of time for any politician to be involved in the election process. Can you imagine setting up a political organization which would cover eight ridings? Can you imagine the kind of fund-raising that would have to go on with regard to that?

We have until next November in order to do that. Under our present laws, if any of we members wanted to run as a federal politician we would have to resign from our seats. I can only assume that is done because when we run for another seat as significant as that of member of Parliament for our federal government, we can no longer fulfil the roles of representing the people who elected us as provincial members of this Legislature. I think that is right. If you decide you are going to run as a federal MP you should have to resign from this Legislative Assembly, because you in effect have abandoned the people you have been elected to represent. I do not think you can run for another post and divorce yourself from that and then go back and say, "I'm going to go and sit down at Queen's Park today and represent those individuals."

1610

I am going to introduce an amendment to limit the rights of members of the federal Parliament and limit the rights of our own legislators if they want to run for a job which is going to be eight times as consuming as running for provincial politics and six times as consuming as running for federal politics, because we are talking about 600,000 people. I represent 90,000; I think the Speaker probably represents about the same; and some of the smaller ridings, like the member for Ottawa East, I think he has 40,000 or something like that.

Anyway, I am going to limit the right of anybody who wants to run in that regard and say, "If you run for regional chairman, you resign your seat." I do not think, if I am the member for Carleton and I want to run for the regional chairman, that the people of my riding, the people of Carleton, should be left without an MPP for the six or seven months it is going to take to run for regional chairman.

I do not believe the member for Nepean should be able to say, "I'm going to run for regional chairman and I'm going to pretend that I can represent the interests of my constituents here at Queen's Park." I do not think the member for Ottawa East should be able to do that, I do not think the member for Ottawa-Rideau should be able to do that, and I do not think the member for Ottawa South should be able to do that. I think I have covered everybody, have I not?

The minister might say: "We're going to take care of that in omnibus legislation. It's something we should look into," etc. Listen, I do not buy that. We are not dealing with a common situation here. We are dealing here with the first regional chairman to be elected at large in Ontario. This is not something that has happened before.

**Mr Grandmaitre:** Hamilton.

**Mr Sterling:** Okay, the second one.



I do not believe, quite frankly, I could represent the people I am expected to represent in this Parliament if I was distracted by running and trying to convince some 600,000 people, or the electors of those 600,000, to vote for me. I am going to introduce an amendment to put that limitation on members of this Legislature. I do not think we should be paid a salary by this Legislature when we are absent back in Ottawa-Carleton campaigning for another job which supplies us with a car, a larger salary and all of those other kinds of things. I do not think we should be paid by this Legislature while we are back there campaigning when a normal citizen who wants to campaign for that post has to give up whatever he is undertaking in terms of his employment, etc. I believe that limitation on MPPs or MPs is reasonable. I believe it is logical—

**Mr Ferguson:** Who are we talking about here, Norm?

**Mr Sterling:** We are not talking about any individual. We are talking about a principle.

**Mr J. Wilson:** They do not understand principles, Norm.

**Mr Sterling:** I understand they do not understand. At any rate, I can only assure the people from Carleton that I am not going to seek this post; so it will not affect me.

I do believe that the minister would have been better off not taking this step, rather than proceeding. However, it is really his choice at this time, and I really do look forward to some more comprehensive reform, more in line with what the studies and the consultation produced, what Dave Bartlett and Ms Graham produced. I think he should have taken their advice instead of that of the member for Ottawa Centre.

**Mrs Y. O'Neill:** I would like to comment again. The member for Carleton has brought forward another perspective. I think we all know that the bill presented last May, which I mentioned earlier, Bill 168, could have been amended. I think, as the member for Carleton has said, the people of Ottawa-Carleton have been consulted to death on this issue. This issue has been before us now, I think, upwards of five years. The newspapers, the media and all levels have been on this issue and on this issue. People have expressed themselves in writing, in presentations, and they are really tired of this issue. But now we are really at square one.

It was most disturbing to hear the parliamentary assistant stand today and talk about one-tier government, because it is the one thing that has not been discussed in Ottawa-Carleton. It has not been part of the consultation process. The Bartlett report did not attend to one-tier government, and it stated so, and people accepted the Bartlett report when it was presented last year. Certainly our bill was greeted warmly in Ottawa-Carleton by most people; so it is really a very suspicious event we have here today. A very small reform seems to be leading to a much broader reform, and it has actually been stated in this House today that we are likely on our way to one-tier government, without consulting, may I say, the people of Ottawa-Carleton. I sure hope the consultation will be built in if that is the direction in which we are going.

**Mr Daigeler:** I have just a few remarks on what the member for Carleton had to say. I certainly agree with him that Mr Bartlett did an excellent job in a very non-partisan manner and in a very non-parochial fashion, of examining the principles upon which the reform in Ottawa-Carleton should have taken place. I also agree with the member that the idea of the regional council is one to go beyond municipal boundaries and parochial thinking and that the very idea of being elected to the region means you take the interests of the region into account. That was the main conclusion which Mr Bartlett drew from his study, and I certainly agree with the member for Carleton that this should continue to inspire the reform in Ottawa-Carleton.

I want to very briefly remark on the amendment, because I will not be able to speak to that further on. I have to fly back to Ottawa. I think the member has a point, but I do think that because he has a point, it should apply not just to the region of Ottawa-Carleton but all across the province. I do not think it is proper just to use this particular amendment and to put this particular idea forth and to limit the people in Ottawa-Carleton. If he wants to do that, he should bring that forward as an amendment to the Municipal Act, and I am certainly prepared to look at that. I think there are some valid reasons he has put forward, and I would be prepared to consider them, but I do not think it should happen just and exclusively for Ottawa-Carleton.

**Mr Ferguson:** Very briefly, I just want it to be very clear here that there is no hidden agenda by this government in terms of imposing single-tier government on Ottawa-Carleton. The member for Ottawa-Rideau suggested that this is the case, and that simply is not the case. Before any further decision is going to be made on the restructuring of Ottawa-Carleton, presumably after the next municipal election, it will be done in concert with the public as well as the elected local officials from the Ottawa-Carleton area.

1620

**Mr Sterling:** I think we should make it clear, and the Minister of Municipal Affairs was kind enough to clarify the point with me, that just before Christmas last year we passed an amendment to the Municipal Act which says that once a member is nominated he does have to resign his seat in this Legislature. My amendment goes further. It says, once he is registered as a candidate—in other words, once he starts collecting money to run, and my concern was that being nominated alone—the nomination, I believe, only occurs shortly before the election, maybe a month before. This campaign that is going to be entered into for the regional chairman, just because of the sheer numbers, is going to take any one of us who would abandon his constituents to run for this job five or six months. I believe that once a member registers as a candidate, makes his commitment, then he walks out of this Legislature or the federal House in order to do that. But I just did want to make it clear that if any one of us did choose to run for this job and were nominated, he would have to resign under those terms.

I do want to say to the parliamentary assistant that there is a hidden agenda. Everybody in Ottawa has assumed there is



a hidden agenda, that what we are talking about here is the first step towards one-tier government. The member for Ottawa Centre has made it quite clear that this is her desire and that of the New Democratic Party in that municipality. There could be no doubt about that.

**Mr Grandmaitre:** Now that the cat is out of the bag and the parliamentary assistant to the minister, the member for Kitchener, is saying, "No, we don't have a hidden agenda," I am just wondering why the parliamentary assistant would even bring up the issue of the possibility of a one-tier government. I find it very surprising. I find it very surprising that the words "one-tier government" would be spoken on Bill 32, because there is no reference in Bill 32 to a one-tier system for Ottawa-Carleton or for any other area in this province. Why would it come out at this time when we are talking about Bill 32?

I will repeat myself: This is half a bill and, as the editorial page of the *Ottawa Citizen* says, it is a "self-serving NDP solution." Another editorial from the *Ottawa Citizen*: "Reform is advisable and feasible. Reaction to the proposed major restructuring of municipal electoral boundaries in Ottawa-Carleton has been revealing. Most voters like it. Many local politicians oppose it, and the province of Ontario has postponed comment."

Imagine. This minister is trying to put the blame on us, and possibly on Ms Graham because her report was late, and blaming me. But let's be honest. I think the Minister of Municipal Affairs has lost his agenda and it is now the agenda of the member for Ottawa Centre: "MPP, Ottawa Centre, Wants Merger Study." I can understand the minister because, after all, she is a strong member of the cabinet—maybe a little stronger than the Minister of Municipal Affairs, and he should check this. She must have said to the Premier "The minister has done a good job but, after all, he's talking about Ottawa Centre and he's talking about my people and I should have a say." From that day on, the Minister of Municipal Affairs has taken a back seat to what the real Minister of Municipal Affairs has told cabinet: "Let's look at one-tier."

This is not the time to speak about one-tier government, because it is not on the agenda, and I will repeat, I am very surprised we are now talking about one-tier government for the simple reason that the parliamentary assistant has raised it. He brought it up. It is his hidden agenda, that is what it is. The member for Ottawa Centre should have advised the city of Ottawa to put a referendum question on the ballot and ask people in the Ottawa-Carleton area if they want a one-tier government. Nobody wants it except the city of Ottawa, and there are good reasons why the city of Ottawa wants a one-tier system and I am not here to discuss those possibilities. I do not want to talk about one-tier government.

I find it very disappointing that the minister is saying he needs more consultation when every newspaper and all 11 municipal councils in Ottawa-Carleton are now saying, "Yes, we've had great consultations through the Bartlett report and through the Graham report, except the minister is stalling." He has had the report since 8 December 1990, so he has had seven months to look at it. But on 12 December—I want to remind him—that is the article that

appeared in the *Ottawa Citizen*, "MPP, Ottawa Centre, Wants Merger Study," and that is one-tier.

I do not accept the Minister of Municipal Affairs's very weak, weak excuse that he did not have time to move on total reform. This is half a bill. I will repeat it. We are not solving anything in Ottawa-Carleton except permitting the regional chairperson to be elected at large.

We had time to look at the boundaries. It took us 18 months to do a complete Metro Toronto reform; 18 months, including boundaries. How come it is taking us four and a half years to do Ottawa-Carleton? Hamilton, Haldimand-Norfolk, all of these regional reviews were done within 18 months. It is the stalling tactic of the member for Ottawa Centre and the minister that is preventing a real municipal election, including regional councillors and a regionally elected chairperson, in Ottawa-Carleton.

I will be back on my feet 18 months from now talking about a one-tier government for Ottawa-Carleton and I will be speaking against it, so I am revealing the secret agenda of the NDP government.

**Mrs Y. O'Neill:** I want to comment on the remarks from the member for Ottawa East. I think he has certainly been very clear in his thoughts. We members who represent that area want accountable government for Ottawa-Carleton.

Another whole issue was brought to the floor of this Legislature this afternoon by the parliamentary assistant for Municipal Affairs. What is so disconcerting about this, as the member for Ottawa East has just stated, is that the people of Ottawa-Carleton have been working on this issue for five years. They have been consulted, they have worked, they have expended their time and energy, and last May they thought they had a resolution to this. Though it was not to be exactly as all wished, they were certainly willing to work on amendments. Now we have these very good reports, excellent reports. The processes were approved and were fair and just. The whole thing is being thrown to The Attic of the Wind, and that is very disconcerting. Time, talent and money are all being set aside, and we are going to start from square one examining in an entirely different direction. How lucky we are that we are going to be consulted once again.

1630

**Mr McGuinty:** It is a privilege to participate in this debate. This issue was one of no small significance during the course of the recent campaign, and I must register on behalf of the people of Ottawa South extreme disappointment. What we have here is essentially a tragedy of no small proportions. This legislation is more noteworthy for what it does not do than for what it does.

The problems are now historical in terms of the failings of regional government. We have problems with accountability, representation, people wearing two hats and, of course, the costs associated with the government.

I think it is important to examine the historical development of this legislation, starting in 1976 when the government commissioned the Mayo commission. That report was filed in 1976, and it is my understanding that very little of substance came of it.



In 1987 the then minister commissioned the Bartlett report. It became apparent that a second report was required in light of the fact that since the 10 or 11 years previous, there had been considerable changes in terms of population in the region. The problems associated with regional government were more complex and obviously more costly.

In December 1987, as I say, the report was filed. It was prepared by a former municipal politician, a gentleman with considerable insight into the process. He brought that experience to bear in the report. It is thorough in nature. It presents an intelligent approach to the problems at hand. It is objective and it involved a thorough consultative process.

In May 1990, Bill 168 received first reading in this House. It was drafted in response to the Bartlett recommendations. The next significant event, of course, was the provincial election, with a transition in government. Then on 30 November 1990 the Graham report was submitted to the present Minister of Municipal Affairs. The report deals with the electoral boundaries for the region and the 11 area municipalities. The report was, again, comprehensive. It was thorough. It was objective. It presented an intelligent approach to the problems at hand and it arose out of a process of consultation with the public.

So what we have is a case here of two thorough reports costing—I am not sure how much, but I am sure thousands of dollars. They were prepared in an open, consultative process. They made specific recommendations. Those recommendations, particularly those contained in the Bartlett report, were incorporated into Bill 168. That received first reading in this House.

What was this minister's response to this history? Through this bill, the subject matter of today's debate, he has ignored every single recommendation made in both of those reports. He addresses one tiny aspect, one tiny aspect alone, and that is the election of the regional chair. Admittedly that symbolically is very important for the people of Ottawa-Carleton, but in terms of revamping the regional government, it goes a very short way. I would think that the regional municipality of Ottawa-Carleton is like a patient requiring major surgery. This legislation does nothing more than remove a wart. It is grossly inadequate in the face of the problems that we have to contend with.

I cannot accept that the minister could not have resurrected the prior government's bill and reintroduced the legislation in this House and had it in place in time for the coming municipal election. I think that had the political will been there, then certainly he could have found a way.

The minister is concerned about ensuring that we have a consultative process. The Graham report and the Bartlett report contain specific lists found within the written reports of the consultation process that took place in terms of the individuals, committees and representations they dealt with. I think the government has to keep in mind that this quest for consultation, review and study does not absolve it from leadership, and that at some point it is going to have to grapple with the problems in Ottawa-Carleton.

With respect to the feasibility of introducing this legislation in time for the coming municipal election, I think it is significant that Professor Graham, a distinguished pro-

fessor at Carleton University, familiar with the legislative rules and guidelines under which we must operate in this House and familiar with the timetable kept by this House, indicated on page 46 of her report in a specific recommendation, one of seven, all of which have been ignored, "It is feasible to change the system of election in Ottawa-Carleton for the 1991 election and I recommend that this be done." She goes on to say: "I think that it is extremely important that the pall of uncertainty that is affecting all of the interests involved in Ottawa-Carleton be eliminated. Furthermore, the level of public dissatisfaction with the lack of accountability of regional government in its present form compels reform sooner rather than later."

I guess in the present circumstances all I can say is, here we go again. We are going to have more reports, more studies, more consultation, more reviews, more expenditure of public funds. I think the real tragedy here is that the people of Ottawa-Carleton will have to wait another three years, at a minimum, before the impact of any comprehensive legislation will be felt in our area. In the interim, the problems remain the same, and I would think that it is a fair comment to say that the people of Ottawa-Carleton are not being well served by this legislation. This government could have done better and it should have done better.

I would hope that the minister is particularly sensitive to the problems in Ottawa-Carleton relating to election spending and election financing, and I would hope that he will take the earliest possible opportunity to address those kinds of problems. I think it is inappropriate and unrealistic, in creating any office to be held by a public official, which office is to be gained through election, that this office should not have associated with it regulations governing election spending and election financing and, related thereto, regulations ensuring there is public disclosure.

The member for Carleton raises what I would call an interesting issue. It is one that deals with whether a person holding public office and seeking another public office should resign from the office he holds. That issue is worthy of debate in this House, but within the context of this legislation I think it is inappropriate. I can think of my own case. In the recent election I ran against a city councillor who did not resign from office. What we would be doing is approaching this on a piecemeal basis. If the member's amendment was adopted it would result in patent inequalities in other areas of government throughout the province.

I think in summary my comment is that I am sadly disappointed at the piecemeal approach the minister has taken to a problem which cries out for reform in Ottawa-Carleton and I look forward to much, much more from the minister.

1640

**Mrs Y. O'Neill:** If I may respond to the member for Ottawa South, I too have the same regret as he, that this reform is very incomplete. I hope the government will present us with complete reform for Ottawa-Carleton. We in Ottawa-Carleton have been waiting a long time, and we thought we were ready and we had a bill that we had presented. Ottawa-Carleton needs a progressive reform. It



needs a reform that will be accountable and a reform that will be fair. This is but one small, small step.

I do think that people in Ottawa-Carleton will be happy to elect their regional chair, and I hope the office, with all of its responsibilities and all of the new powers that will be granted to this individual, will become an office that is accountable in Ottawa-Carleton. We have an outstanding region. Over the years, as I have mentioned earlier, we have shared our thoughts generously on governance for a long, long time and we will continue to share our thoughts and our goals with this government.

My hope is that the next consultative process that has been mentioned today by the parliamentary assistant will begin early in 1992. I, like the member for Ottawa South, am requesting a lot more from the minister with respect to governance issues in Ottawa-Carleton: that the consultative process will be complete; that it will be timely; that it will be given every necessary resource—because as I said earlier, we are going to be starting from square one, it seems—and that the results and the recommendations that come forward from that consultative process will be acted upon, because all of the worthy recommendations we have before us in this House and in all of the studies that have taken place, as I say, have been thrown to the attic of the wind, never to be used again, from what we see here today.

**Hon Mr Philip:** The attic of the wind? What's an attic of a wind?

**Mrs Y. O'Neill:** That is a book.

**Hon Mr Philip:** That's poetic.

**Mr McGuinty:** The issue of one-tier government has reared its head in here today, and it is my understanding that any reference to one-tier government did not arise prior to the member for Ottawa Centre's introduction of that element into the scenario as a prospective resolution of the problems in Ottawa-Carleton. I was extremely disappointed to see that variable thrown into the bag at such a late stage, when a solution which is indeed feasible and labelled as such by Professor Graham was within such easy reach of the government and those recommendations could have been implemented without much difficulty whatsoever.

I would caution the minister that if he intends to explore the matter of one-tier government, he do it very sensitively. It is an issue which is subject to very strong views in Ottawa-Carleton and a very strong argument could be made to the effect that representation is further removed from the voters. I would caution him in that regard, as I say, and I insist, if he intends to explore that route, that there be a thorough consultative process.

**Mrs Caplan:** I rise today as opposition critic for Municipal Affairs. My colleagues from the Ottawa-Carleton area have spoken eloquently on this important issue to their constituents in the Ottawa-Carleton area. They have spoken with frustration as well as with passion about democracy and the rights of their constituents to have reform, badly needed reform, and accountable government. They have also expressed their concern that in fact there is some hidden agenda, and I will put the minister and this government on notice that we will be very wary and very

aware of events as they unfold in the future discussions of reform, not only in the Ottawa-Carleton area but in other areas across this province.

The need for reform to local government is an important issue for the people of Ottawa-Carleton, and this legislation before us today represents the NDP's response to over four years of study and consultation on reform of the regional government system in Ottawa-Carleton.

I would like for a moment to take a look at the chronology of this important event. In June 1987 my colleague from the Ottawa-Carleton region, the member for Ottawa East, then Minister of Municipal Affairs, announced a review and began a very important progress towards democratic and electoral reform.

Dave Bartlett, a former federal civil servant and former mayor of the Rideau township and representative on the Ottawa-Carleton regional council, was appointed to conduct the review. Mr Bartlett was well respected and his appointment was applauded by everyone in the Ottawa-Carleton region. In December 1987 we completed phase 1 of the Bartlett review, dealing with political structures, under the title of his report, *Accountability and Representation*. In November 1988 he completed phase 2; the title of that was *Administrative Reforms: Functions and Finances*.

May 1989 saw the phase 2 report released, and public responses were received by September 1989. When my colleague, then Minister of Municipal Affairs John Sweeney, tabled the bill in the spring, May 1990, he said very, very clearly that it was his intention to give the voters of Ottawa-Carleton a direct say in the running of their regional government: "The legislation will, for the first time, allow voters in new regional wards to directly elect someone whose only job will be to represent their interests at regional council." He was very specific in what the proposal was.

"The regional chairman, who now is not directly accountable to voters, will be chosen by regional council from among its directly elected members.

"Mayors of the 11 municipalities within the region will remain on regional council as representatives of their municipalities and to provide a link between the two levels of government."

The changes that he was announcing that day were a result of a long and thorough process of study and consultation, a process that had started nearly three years before. I can say that it was not only news in the Ottawa-Carleton region, but it was greeted with applause and acceptance and the view that in fact this would be in place by this coming election of 1991. The minister stated very clearly in his remarks to this House, and I am reading from Hansard when the then minister, John Sweeney, said, "I am introducing the legislation this spring so that this new structure can be in place in time for the 1991 municipal election year."

I am not going to read all of what was in Hansard at that time, but he went on to state that there was concern in that region that the size of government was too big and that he had a process for reform so that the people of the Ottawa-Carleton region could have reform, and suggested a size of the council of some 14 to 18.



1650

Now the new minister stated when he received the report in June 1990 from Katherine Graham, Ottawa area political science professor. She was appointed to hold public meetings and to consult on proposed boundaries for new regional wards. It was in December that she released her report and it was also, while not unanimous, well received by the people of Ottawa-Carleton, by local officials, as well as reported widely in the media. When this minister received that report, he determined in fact not to introduce and accept that policy statement, the recommendations, and he stated clearly here today that he wanted to consult further.

I would say that in fact, if there had been a new minister in the portfolio who was unfamiliar with the workings of this House, newly elected, we would have been very sympathetic to the desire of the new minister to take time, to study, to look. But the honourable Minister of Municipal Affairs is a veteran in this House. He is experienced. He knows the House processes and how it works, and he also knows that he had the opportunity by policy to state that he would implement, that he would draft the legislation in time for the 1991 municipal election year and that there would be ample time for consultation on the report of Katherine Graham through the legislative process. We could have had public hearings following second reading debate.

We could have had that open, democratic process right here in this Legislature. Amendments could have been possible, if the people of Ottawa-Carleton wanted to propose amendments to their very important recommendations after some four years, and we could have had legislation in place, as promised, by the November 1991 election.

But what did we get instead? We got NDP legislation from a new minister, albeit experienced, which I say is too little and too late. Instead of moving with fundamental reform, which he could have done and which was introduced by the former minister last year, the new minister and the NDP government have decided to simply provide for the direct election of a regional chair.

I believe that the NDP legislation is a valid option to consider in providing for improved regional accountability, but it does not address the need to reform the rest of the structures of regional council. The minister acknowledged that today, but I will say to him that he could have done it if he was truly committed to the principles of democracy and if in fact he wanted to use his years of experience here in this House to shepherd through an important piece of legislation in time for a municipal election.

I also agree with my colleagues from the Ottawa-Carleton area, who believe that this NDP proposal does not take into consideration the question of costs of running a region-wide campaign. I discussed this matter with the minister and he says it is his preference to have this matter dealt with under the Election Finances Act.

I would say to him that the proposal by my colleague, and I will be tabling that as an amendment during committee of the whole, would allow the Ottawa-Carleton regional councillors to determine what would be appropriate

for their region. We in the Liberal Party and in the Liberal caucus in this House believe that people in the regions of this province should have more say and more control and more opportunity to decide what is right for them. We do not believe that the provincial government should always be the one telling everybody exactly what they have to do and how they are going to do it.

We also do not believe that what is right for Metropolitan Toronto is the same as is required in Sault Ste Marie or Sudbury or Ottawa-Carleton. We are flexible enough, when given the opportunity, to try different approaches across this province and then evaluate them to support that.

I would say to him that after four years of consultation, discussion and study, the NDP have given the people of Ottawa-Carleton an incomplete solution to the need for regional reform. In my remarks this afternoon, I have touched on what I believe is an incomplete and flawed response from this government, and it is due to the lack of leadership by the minister which led to this very insignificant, in the context of comprehensive reform, piece of legislation.

Ottawa-Carleton's geographic size and population make it one of the largest municipal structures in the province by a number of criteria. It is also significant to note that it is one of the most diverse regions of this province. From the rural townships of West Carleton to the historic smaller communities of Rockcliffe Park and Vanier to the very modern downtown city of Ottawa, the region serves a range of distinct communities of varied interests in the Ottawa-Carleton region. There has been a desire, a valid desire, throughout the region to improve the roles and the responsibilities, managing the local government while supporting the diverse economic and social aspects of the larger regional government.

The desire for improved accountability in the municipal system is not, however, unique to Ottawa-Carleton. Legislation to reform Metropolitan Toronto council was implemented in 1988 by the former Liberal government. The new responsibilities and accountabilities of Metro council has produced a more integrated focus and an opportunity to discuss region-wide issues such as transportation and waste management in that important forum.

The regions of Niagara and Haldimand-Norfolk have also participated in provincial reviews of their municipal structures. A number of other municipalities, including Hamilton-Wentworth and Sudbury, have asked as well and have approached the Minister of Municipal Affairs to request reviews of their structures.

I have travelled this province, I have spoken with leaders of government, leaders of regional government, leaders of municipal governments, and I am hearing the same thing from each and every one of them. They are saying that in fact this minister is too busy to pay attention to the real need for reform of municipal government, that in fact they cannot get his attention and that they do not believe there is a commitment to the kind of reform that will allow municipalities to fully govern themselves in a more appropriate way as we look forward to this next century.



Most of the past and proposed reviews in this province have a strong focus on the need for clear accountability in two areas: accountability between the upper and lower tier for services provided across the region; and accountability of the head of the upper tier municipality to the public. The need for accountability of the head of the regional council to the public stems from the current problem, that the regional chair in Ottawa-Carleton, as in many other regions, is an appointed position. The chair has not been elected to any current municipal position. It is therefore claimed, and I believe rightly so, that there is no clear accountability of the chair to the public.

I believe that there is a need for this reform in many areas across this province, and I would urge the minister to allow for those reviews to be conducted and to get busy. We are now into the 1990s. It is time to pay attention to municipalities, and it is important that we set the agenda to allow those municipalities to allow the people to have more say and to ensure that there is an appropriate level of accountability at the municipal level and at the regional level. This is of concern in every part of this province. Not only is it a concern among the elected political people across the province; it is also a very real concern among the public. The chairs of the regional councils who have been appointed may also feel constrained from being able to provide real leadership in those regions without a clear electoral mandate from the people of the region.

We have seen several significant legislative approaches that were introduced by our government and which are supported by our caucus. When we were in office, the chair in the Ottawa region would have been required to be elected to a regional ward and chosen as a chair by the other members of regional council. I am aware that some people feel that this is not direct enough as far as the linkage of accountability is concerned, but it is a model that we use right here in this Legislature. The Premier is elected in a riding, as is every member, and then is selected by his caucus, by his party, as the leader. So we have that model right here in defining the authority of the Premier. It has also proven to be a successful model here in Metropolitan Toronto.

This model was strongly supported in the region, as I said, although not unanimously, when it was announced by the former minister, my colleague Mr Sweeney, last spring. The model was the subject of discussion within the community. There was much consultation. There was consultation during the Bartlett review, and it was in fact that model that he recommended for the Ottawa-Carleton region.

1700

The other issue of accountability is that of the separation of roles and responsibilities between the upper and lower tiers. It was also a very strong concern in the Ottawa-Carleton region. Currently, lower-tier municipal councillors serve on both the council of their local municipality and on the regional council. This makes it very difficult for the elected members and the public to decide whether the elected member should take policy positions on contentious issues from a regional perspective or a local perspective. I think it is important that it be clear, and I think that is one of the issues we would like to see dealt

with as part of comprehensive reform, so the members of regional council take a broad regional perspective in dealing with regional issues.

The legislation introduced last spring also dealt with this issue by establishing regional wards that would be held by regional councillors while local councillors served exclusively on their local-tier municipality and were able to respond directly to the local issues and local concerns of their constituents. This was not an easy solution, given the fact that there is a clear wish from the public across the region not to increase the total number of politicians in the region. The people of Ottawa-Carleton did not want big government; so as part of the reform it was important to ensure that the size of government was contained. This minister has not accomplished that in this legislation.

The Liberal government, under Mr Sweeney, appointed Katherine Graham to draft, in consultation with the people of the region, proposals for regional wards that would provide equal and fair representation right across the region. That was achieved, and the support given to Graham's report when it was released last fall is a testament to the creativity, sensitivity and balance which she brought to her work. The report provided a way to proceed in producing real reform in a relationship between the region and the lower-tier municipalities by proposing workable boundaries for regional wards. There were also some wards which were proposed to cross municipal boundaries, but this was an appropriate option, in my view, given that the regional focus that the new regional councillors were to have.

I would like to take this opportunity in the debate to thank Katherine Graham on behalf of our caucus for the important contribution she made to providing options for real reform in the Ottawa-Carleton region. It is our hope that the work she has undertaken is not lost and does not enter into obscurity because of some hidden agenda or because of the wishes of the regional minister. We hope the Minister of Municipal Affairs will heed these words. We are concerned that there is a hidden agenda and that the member for Ottawa Centre is the real Minister of Municipal Affairs in dealing with these issues in their cabinet.

We believe this legislation is deserving of support because at least it will ensure that the regional chairman is duly elected and accountable to the people. But it is disappointing that the NDP's flawed legislation, which was announced late last fall after four years of consultation, falls short of comprehensive reform.

The minister, as I stated, is a very experienced member of this Legislature. He knew the process of the House well and knew that he could have tabled the legislation and had a legislative process that would have ensured the kind of consultation that he is committed to, as I am. But after waiting two and a half months, he stated that the delay was crucial in limiting his options and then finally announced his policy, this introduction of Bill 32. It is sad and disappointing. I think it also is indicative of what one constituent said to me, that the NDP now stands for, not New Democratic Party but "now dazzling paralysis."

The NDP proposal will provide for the election at large of a region-wide chair, an election by 600,000 people. This



proposal is similar to legislation that was introduced last fall by my colleague the member for Ottawa West. His proposal, I believe, was the catalyst to get this minister moving. His proposal said to this minister: "You had better do something. The people of Ottawa-Carleton can't wait. They deserve some accountability."

I do not want to get into an argument about the pros and cons of region-wide direct election versus the election of a regional councillor who is selected by the chair or by other regional councillors. We in the Liberal caucus are flexible enough to accept that there are differences across this province and to allow variations as long as the principles of accountability and responsibility are clear and sacrosanct. I can say as well that our party believes that, given the delay in any response on the issue from this government, the direct-election legislation of the member for Ottawa West provided a workable proposal for ensuring that there would be some reform in place before the 1991 municipal election. We believe that is exactly what this minister did; he took the legislation of the member for Ottawa West and said, "I can now do something."

I want to take this opportunity to thank my colleague for his leadership in the face of lack of leadership by the government and the minister on this issue. I believe that if the member for Ottawa West had not tabled his legislation we would not be standing in this House today seeing any kind of reform for the Ottawa-Carleton region. I want to criticize this minister and this government for delay, for stalling and for falling victim to decision-making paralysis, effectively putting real reform beyond the 1991 municipal election. That is unacceptable, and the minister should be ashamed of himself.

The legislation that the government has introduced has two major flaws. It does not provide for comprehensive reform in the political structure of the Ottawa-Carleton region. The minister has acknowledged that, and I want him to know I agree with him. It is not good enough. The government's bill does not reform the overlap of the councillors who are elected to serve both on regional and local councils. I agree with him. That is not good enough.

It is clearly the NDP's lack of ability to make up its mind and move on this issue that is responsible for the incomplete package of reforms contained in Bill 32. The Minister of Municipal Affairs has admitted that because of the late date that his legislation was introduced he will have to go back to the drawing board for long-range solutions. This minister and the NDP government have made the people of Ottawa-Carleton wait for at least three more years until the 1994 municipal elections before they will be able to implement real reform. I agree with the Minister of Municipal Affairs, that is not good enough.

I understand that the minister will say there has not been enough consultation, but the people of Ottawa-Carleton know the truth. He can say he needs more input and more options so he can put forward a comprehensive package, but the people in my caucus, the members from Ottawa-Carleton, are very suspicious that he has a hidden agenda or that he is taking his marching orders from the regional minister or from someone who has a hidden agenda. It seems as though the minister is telling all of the

people and all of the organizations which participated in the Bartlett review that their contributions over the last four years was just not good enough for him, or he is telling them he could not make up his mind or he is telling them that there is a hidden agenda.

The other major flaw this legislation has is that it does not include any provision to reduce election spending limits for campaigns for regional chair. That was specifically requested by the Ottawa-Carleton regional council. I believe it is something that can be accommodated. It would allow the regional council to set its own limits. It would also allow this minister to review, consult and determine whether or not the effect of allowing the region more say, more control over its own election spending could be a model as he consults and brings forward reform to municipal election financing in this province. He could do it if he wanted to.

He is not prepared to accept our amendment. I am saddened and disappointed by his lack of openness to ideas and suggestions. Day after day in question period, his Premier and ministers stand in this House and say: "Give us your ideas. We're open to suggestions. Tell us what to do." Then when they get an idea or a suggestion, they say: "No, our mind is made up. No, we're not interested in your ideas. No, we won't accept your amendments."

1710

**Mr Elston:** It's the same old story on all the bills.

**Mrs Caplan:** Same story. We are not seeing any openness to new ideas, and the people of this province are beginning to understand that this is a government by invitation only. It is closed to any new ideas and suggestions and will not accept an amendment which has been requested by the people of Ottawa-Carleton and which would improve his legislation.

The minister knows he has received letters from some of his very own supporters, members of the New Democratic Party, asking for special election spending limits for the new chair position, yet he refuses. I really figured he would say no to me, but I did not think he would say no to his friends. I did not think he would say no to the NDP supporters who have been writing in asking for that amendment. Why, when the community itself is looking for some special limitation on election spending, does this minister refuse to respond? Shameful.

In order to improve the legislation, we will be proposing an amendment to the government's bill to implement an election spending restriction for the chair position.

The government is aware of a number of important issues in the municipal sector, the minister is aware of the need for comprehensive reform in a number of areas, and it seems as though this government is not very interested in providing leadership on these issues. We have yet to see the Minister of Municipal Affairs make a definitive statement on the future direction of county reform, a concern that was raised, in his absence, with his parliamentary assistant at a recent rural AMO convention.

A number of counties are finalizing their reports. They want a signal from this government, from this minister, as to how any reforms will be implemented. In fact, I had one



municipal leader actually say to me, "Tell the minister when you see him that we need a Minister of Municipal Affairs." The minister has been acting as though he just wants county reform to disappear. That is a terrible attitude to take, given the time and energy that municipalities have put into this initiative over the last two years.

The minister has also decided to put two other pending reviews officially on hold. After six months of delay and indecision, he has come to yet another conclusion: He has decided it is too late for him to do anything before this municipal election. It took him six months to come to the conclusion that he could not do anything.

The minister has not moved on introducing legislation to provide clear guidelines on open municipal meetings and the disposal of municipal assets, even though stories continue to flow out of places like the city of York on the Fairbank Park issue. The minister has told the city to bring in an outside consultant to help the city review its procedures when he is quite aware that simply by introducing former Liberal legislation that was proposed in this Legislature last spring he could solve that problem. He could ensure that all meetings were open. He could prevent another Fairbank Park fiasco. But the minister does nothing—dazzling paralysis.

The minister has tried to distance himself from being forced to move quickly on implementing the Hopcroft report reforming provincial-municipal financing relationships. Municipalities are struggling under the financial burden of welfare case loads. This government has done nothing to deal with the recession we are in. Municipalities are suffering because of—

**Hon Mr Cooke:** Is this a budget speech?

**Mrs Caplan:** The minister asks if this is a budget speech. This is an opportunity for the Minister of Municipal Affairs to be an advocate on behalf of municipalities, municipalities that are struggling with welfare case loads, municipalities that are struggling with cross-border shopping, municipalities that are struggling with lack of advocacy from a minister who they say has done nothing, and I agree with them; he has done nothing.

The Hopcroft report deals with one opportunity for the minister to do something, and I can say to him that there are other Liberal initiatives which have been put on hold. As far as assisting the municipalities with their welfare load is concerned, the minister knows that the financial difficulties they are in with meeting their obligations are because of the inaction of his government in job creation, the inaction of his government in dealing with municipal issues.

I will say to the minister, there have been studies, there have been consultations on this—

**Hon Mr Cooke:** What did you do on unconditional grants. Be honest.

**The Acting Speaker:** I do not believe that is the minister's regular seat, and if you wish to make comments—

**Hon Mr Cooke:** No, it is not, and I will go back there.

**Mrs Caplan:** It seems I have touched a nerve with the minister and with some of the back bench, who agree that

even they do not know who the real Minister of Municipal Affairs is.

He knows there have been studies, knows there has been consultation, knows there are things he could do, yet he puts everything on hold. Municipalities are waiting for the province to signal its direction on many issues, and he remains silent. After six months, he still has not said what process he intends to use to work with municipalities in negotiating a new financial framework. The notion that he is going to refer everything to the tax commission strikes fear in the hearts of municipal leaders across this province.

While in opposition the New Democratic Party had a lot to say about improving planning in this province, but after six months in office it has said nothing about planning reform except to reintroduce Liberal policy on restricting subdivisions through wills, which we will be dealing with very shortly.

The Minister of Agriculture and Food has been making all sorts of vague promises around this province—and I see he is in the Legislature today—about buying development rights from farmers, but we have seen nothing concrete from this government and from this minister on announcing planning reform, nothing. Could it be that there are turf wars in the cabinet between the Minister of the Environment, the Minister of Municipal Affairs and the Minister of Agriculture and Food over who is in charge of planning reform in this province?

The legislation we have before us today is just another example of indecision and lack of leadership by the minister on municipal affairs issues. However, as we are now in a municipal election year, my caucus and my party will be supporting this bill, with the amendments we hope the minister will accept in order to give the people of Ottawa-Carleton at least some opportunity for reform in time for this year's municipal election.

**Hon Mr Cooke:** I would like to take a couple of minutes in the summary to respond very briefly to the member for Oriole and what was certainly a good opposition speech. I congratulate her on it, but I would just like to remind her about a couple of things for the next time she is preparing this speech, which I am sure we will hear again and again and again.

The relationship between this government and municipalities, I can guarantee the member, has improved considerably the relationship between the provincial government and the municipalities from what her party had in the past. There is no doubt at all that when we took office, the common line with municipalities across this province was that there was nowhere to go but up in terms of the relationship between municipalities and the provincial government. The relationship had hit rock bottom in this province. It is completely understandable why that had taken place: the off-loading by that government.

I was shocked to understand and to learn when I got into the Ministry of Municipal Affairs that policies by her government were made in the Treasurer's office and the former minister did not even know about them until they were announced, and neither did the bureaucracy. Of course, the municipalities were the last to find out.



Since we have taken office, one of the first things we did related to the welfare announcement that had been made by the former government of 5% increases for recipients and 5% on the shelter allowance. We doubled that on the shelter side and we went 2% above the 5% for the individual rates. But we said it is absolutely essential that the province pick up 100% of that cost because it would be inappropriate to offload those responsibilities to the municipalities. I can tell members, that was very well received.

Let's take a look at the very recent history of unconditional grants in this province. What did municipalities get in 1989 on unconditional grants? These are all issues that were talked to—

1720

**Mr Sterling:** On a point of order, Madam Speaker: I do not know what grants have to do with Bill 32, which is a restructuring bill of the regional municipality of Ottawa-Carleton. Our party wants to get on with the legislative program and to deal with legislation. We do not want to hear this silliness about an argument between the present government and the former government.

**The Acting Speaker:** Thank you for your opinion.

**Hon Mr Cooke:** I will be very brief, but I think I heard for 20 or 25 minutes a diatribe from the critic for the official opposition and I should have some opportunity to respond.

The recent history of unconditional grants: In 1989, what did the Liberals do? They froze them. What did the Liberals do on unconditional grants in 1990? Only a few municipalities got an increase. What did this government do? We accepted the recommendation from the Association of Municipalities of Ontario and gave 5% across the board. That was very well received by municipalities. We want to work with our partners in delivering government across this province.

Finally, on the issue of disentanglement, this government has made an absolute commitment that we are going to work with school boards and municipalities to try to work out this relationship. The Premier indicated that yesterday when he talked about the Constitution, I indicated that last week when we released the Hopcroft report, and I will tell members, if the municipalities had a choice of dealing with the former government in the past on the disentanglement issue or our government, we are starting with that fresh relationship and there is trust that exists that did not exist in the past, and the member knows that very well.

On the bill that is before us, I did outline the position of the government at the beginning of the discussion. But I would like to remind the opposition that the Graham report was given to this government on 30 November. The Graham report outlined the boundaries that were proposed for the upper-tier level of government in Ottawa-Charleton. I think it would have been very inappropriate and very presumptuous for a new Minister of Municipal Affairs to accept that report on 30 November, have it translated—so it was not available for public consumption until 6 or 7 December—when the deadline for legislation was before the end of the two weeks in December. Then it would have all

been imposed. That might have been the style by the Liberal government, but that is not the style of this government. We intend to consult and we intend to get it right. If the opposition parties want to criticize us for doing that, then that is the kind of criticism I can accept.

I will be talking to the people in Ottawa-Carleton, and we will be developing a process. We will have more substantial change and reform for the 1994 election, as I told the opposition parties. But this government is not going to be doing things unilaterally with municipalities. We are going to do it in co-operation and in consultation with them, and I offer no apologies for that at all.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

#### REGIONAL MUNICIPALITY OF OTTAWA-CARLETON STATUTE LAW AMENDMENT ACT, 1990

Consideration of Bill 32, An Act to amend the Regional Municipality of Ottawa-Carleton Act and the Municipal Elections Act.

**Hon Mr Cooke:** May I ask permission for the staff from the ministry to join us on the floor?

Section 1 agreed to.

Section 2:

**The Second Deputy Chair:** Mrs Caplan moves that section 4a of the act, as set out in section 2 of the bill, be amended by adding the following subsections:

“(6) Parts II and III of the Municipal Elections Act apply to an election under this section as though the candidates were candidates in an election for the office of head of council of the area municipality having the greatest number of electors.

“(7) The clerk of the regional corporation shall make a copy of parts II and III of the Municipal Elections Act available for inspection by the public at the clerk's office.

“(8) The regional corporation may pass a bylaw providing for lower limits on the campaign expenses that candidates for the office of chairman may incur and the contributions that any individual, corporation or trade union may make to candidates that are set out in the Municipal Elections Act.

“(9) If a bylaw is passed under subsection (8), the provisions of the Municipal Elections Act respecting campaign expenses and contributions to candidates shall be applied as if the lower limits set out in the bylaw were specified in that act.”

The table has just asked me for clarification in subsection (8), “office of the chairman.” Does the—

1730

**Mrs Caplan:** It is my understanding that the amendment changing the terminology to “chair” has been accepted by the government, and therefore at this time it would be appropriate for the terminology to be consistent.

**The Second Deputy Chair:** Thank you. Does the member for Oriole wish to further elaborate on the amendments as suggested?



**Mrs Caplan:** Yes. I spoke at length to this. This amendment would allow the region of Ottawa-Carleton to lower the limit. It would also allow the minister to consult on what the experience has been following this election.

Since he has already determined that he is going to be amending the Election Finances Act, I think it would be helpful to him to have some experience in another jurisdiction where they have in fact lowered the limit. I am aware that municipalities such as the city of Toronto and the municipality of the city of North York have experience with the higher limit, but we have nowhere in the province that has experience with a lower limit.

The regional municipality, the council of Ottawa has asked for this. We believe that where a municipality has asked for this kind of opportunity, it would be reasonable and feasible for the minister to give them that opportunity to set what they believe would be an appropriate limit. The minister could then monitor and evaluate the results and determine if that would be an appropriate amendment province-wide when he amends the Municipal Elections Finances Act. If he does not accept this amendment, then it is my view that in fact his consultations on other matters will be a sham, as is his open-door policy.

**Mrs Y. O'Neill:** I would like to speak in favour of this amendment. I do feel that there is a new level of accountability for all elected officials, and certainly the amount of funds necessary to achieve any given office is part of that.

I feel that we in the Legislature have very strict rules about how much we can spend in any given election. Certainly the other levels of government, municipal levels, are in that same category. I feel that it is the time, particularly in an office that is going to be new, an office that is going to be as extensive as this, and I think it should be open to as many people as possible in our community of Ottawa-Carleton. Certainly, if there is no spending limit, that means there will be people who will not be able to put their names forward as a candidate in this position.

I feel very strongly that it is time to rethink this and to show the people of Ottawa-Carleton and, indeed, the province, that there are limitations and that they are reasonable limitations. Certainly then we do not go to office beholden to any one group, nor can we be accused of such. Certainly that has worked in this Legislature, and all of us have been through the same rules and regulations and we have not found them limiting. Those are my comments.

**Hon Mr Cooke:** I certainly completely and totally support the thrust of the comments that have been made by the critic for the Liberal Party and the member for Ottawa-Rideau. I wonder why the limits were set so high in the legislation that the former government brought into existence. I totally accept the kinds of arguments the Liberal Party is making. Why did they not lower the limits in the general legislation or keep them lower when the original legislation was brought in? I would just suggest that was then and this is now. That is certainly the type of approach that the Liberal opposition has taken.

We have indicated that what we intend to do is the appropriate thing, bring in new legislation for municipal election expenses across the province so that there is con-

sistency and reasonable controls and limits for all municipal politicians across this province. It is just as important in the city of Toronto, North York and other municipalities that there be those kinds of spending limits right across the province and in Hamilton, where there is a regional chair as well. We will be working with AMO and municipal organizations to review the Municipal Election Expenses Act and have that new act brought in for 1994.

But the member will also realize that because of the dates for registration of candidates under the Municipal Elections Act, these types of issues have to be decided before the end of the calendar year so the people know the ground rules under which they are considering or the ground rules under which they register. That is why we could not do general legislation across the province before the end of the calendar year.

I understand the limit in Ottawa-Carleton is way too high, but I think that the appropriate way to proceed is to review the entire act and to bring in proper legislation for all municipalities and candidates across the province.

**Mrs Sullivan:** I would also like to support the amendment put forward by my colleague. We have a situation here where a request has been made for a specific action to be taken by the government in relationship to their particular election. In this case, it is perfect timing for the minister to be able to review the situation as it exists in Ottawa-Carleton in the next election and look at that experience in association with the next election in a broader perspective. I think that if the minister is speaking about consultation he ought to be listening to this very specific and directed request from the municipality.

**Hon Mr Cooke:** Just one point: I would like the member for Oriole to show us the council resolution that makes this request. Does the member have a council resolution making the request?

**Mrs Caplan:** It is my understanding that this has been requested by the Ottawa-Carleton regional council, that they would support this and welcome this. If the minister today will accept the amendment or if he would like to postpone this debate so he can telephone the chair or the members of the council, they will confirm that.

**Hon Mr Cooke:** I guess the answer to the question is that member does not know of the existence of a motion from the regional council, because it does not exist; there has not been a request.

**Mrs Caplan:** The minister is playing word games. What I have said to the minister is that it is my understanding that this has been a request from Ottawa-Carleton council. If he would like to take a minute now and adjourn the debate so he can go and phone them, we all agree it is a good idea. He says it is a good idea. It would give him a chance to evaluate and see what the implications of this are rather than making them wait for four more years. He chooses not to do that. I think it just shows the attitude and the behaviour of this minister, which is not open to good ideas and suggestions.

**Mr Sterling:** I am confused by the minister. First of all, his excuse for not accepting the amendment is that he wants to deal with this in a general way rather than in a



specific way with the Ottawa-Carleton region. Then he is entering into a debate about whether or not there has been a request. My conclusion is that if there is a request, the minister would grant the amendment. I therefore suggest that, because of our timing here, there be a division over this and we vote on Tuesday on it and it will be clarified whether or not there is a request.

1740

**Hon Mr Cooke:** The member knows very well that this bill has been before the House for quite some time. He also knows there are certain time limits that make this legislation necessary to proceed. If the region wanted this kind of amendment, perhaps it might have already made the request, but we have not seen it. I still stand by the argument that the best way to proceed is with general legislation across the province.

**Mr Elston:** If I might be of some assistance, we had already taken the precaution that if there were to be divisions, we might make a provision to vote on these items on Tuesday. If it is the will of the minister that he would like to make the call, we can do that. It was anticipated that everything could be set away. It seems to me that he said he would accept it if that could be confirmed. It would seem to be reasonable to do that if he wanted. If it is not going to happen, then we might as well get on with it and just vote.

**Hon Mr Cooke:** Let's vote.

**Mr Elston:** Basically, we have heard from the minister that we will get on. He wants to defeat this. Actually, the kind of gamesmanship he has displayed here is interesting indeed.

Interjections.

**The Second Deputy Chair:** Order. We will now deal with the amendment that was moved by the member for Oriole that section 4 of the act, as set out in section 2 of the bill, be amended.

All those in favour of the amendment will please say "aye."

All those against the amendment will please say "nay."

In my opinion the nays have it.

Motion negatived.

**The Second Deputy Chair:** Mr Sterling moves that section 4a of the act, as set out in section 2 of the bill, be amended by adding the following subsection:

"(2a) No person who is a member of the House of Commons of Canada or a member of the Legislative Assembly of Ontario is eligible to become a registered candidate for the office of chairman unless that person has vacated his or her seat in the House of Commons or the Legislative Assembly."

**Mr Sterling:** This amendment is put forward because the job of running for regional council in Ottawa-Carleton is going to be a very daunting task. The persons who will be seeking this office will be facing an electorate of some 600,000 electors, or the number of eligible electors from that population. That is equivalent to six federal ridings or eight provincial ridings. It is my feeling that the present restrictions on members of the Legislature and the House

of Commons are not adequate to say to them, "You are only required to resign your post as MPP when the nomination day comes around," because the nomination day arrives only four or five or six weeks prior to the actual election date.

It is my belief that if a member of this Legislature or a member of the federal House of Commons decided to run for this post, he or she would require a campaign of five or six months. Therefore, I have asked the minister to accept an amendment which would require a member of this Legislature who registers as a candidate, meaning he could start to collect money for his campaign and start into his official campaign, to relinquish his responsibilities here at the Legislative Assembly.

I do not feel an MPP should be paid to represent his people in this place if he is back in Ottawa-Carleton trying to run for regional chairman of Ottawa-Carleton. Therefore, I ask for the minister's indulgence in accepting this reasonable amendment and urge all members to support this logic that is put forward.

**Hon Mr Cooke:** As I indicated earlier to the member of the third party, there is already a restriction that was put in the legislation just before Christmas that when a person is nominated, if he is an MP or an MPP, he would have to resign his seat. I think that protection was put in there for that particular reason, to address what we knew would be raised by the member for Carleton today; so we tried to take care of it in December. But I do not think that it would be appropriate to go all the way to the first date that they register. I think quite frankly the voters themselves would make the candidate pay quite a penalty if he was registered as a candidate for regional chair and was also collecting a salary as an MPP and not doing the job of being an MPP, and I think the voters have that responsibility.

Those in favour of the amendment will please say "aye."

Those against the amendment will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 2 agreed to.

Sections 3 to 6, inclusive, agreed to.

**The Second Deputy Chair:** Mrs Y. O'Neill moves that the bill be amended by adding the following section:

"6a(1) The Regional Municipality of Ottawa-Carleton Act is amended by striking out 'chairman' wherever it appears and substituting 'chair';

"(2) The Municipal Elections Act is amended by striking out 'chairman' wherever it appears and substituting 'chair.'"

**Mrs Y. O'Neill:** If I may speak to that for one moment, I would like to say that the region of Ottawa-Carleton has been well known in this province and certainly beyond, throughout Canada, for its women politicians. We have had some very exciting women mayors throughout the municipality. We have had regional councillors who have made their marks. We have had school board chairs and certainly school board trustees. Many of these people have made outstanding contributions and their one distinction is that they are women.



**Mrs Haslam:** I concur with this. In fact, I had mentioned it myself and was so glad to see that we did have this amendment. I fully endorse it and I thank the member for Ottawa-Rideau for doing something that I felt needed to be done.

**Hon Mr Cooke:** Very briefly, I appreciate the amendment from the member, and as the member for Perth has indicated, we will be supporting it. I might point out that the ministry is also working on amendments that would amend the legislation generally so that we will not have to amend each individual act. This will be taken care of across the province with general legislation soon.

**Mr Sterling:** We of course support such an amendment. We only wish that the minister and this new government would be more receptive to other reasoned amendments as well.

Motion agreed to.

Sections 7 and 8 agreed to.

Bill, as amended, ordered to be reported.

On motion by Mr Cooke, the committee of the whole House reported one bill, with a certain amendment.

#### BUSINESS OF THE HOUSE

**Hon Mr Cooke:** On behalf of the government House leader, I would like to announce the business for next week: Tuesday 2 April, committee of the whole House for consideration of Bill 4, An Act to amend the Residential Rent Regulation Act, 1986; Wednesday 3 April, third reading of Bill 24, An Act to control the private use of Cards issued and Numbers assigned to Injured Persons under the Health Insurance Act, and debate on concurrences in estimates; Thursday 4 April, debate on second reading of Bill 25, An Act to amend the Planning Act, and committee of the whole House to consider Bill 25, if required, and committee of the whole House on Bill 4, An Act to amend the Rent Regulation Act. We have already completed Bill 32, so that is complete. That is the business for next week.

The House adjourned at 1755.



## ERRATUM

No.	Page	Column	Line	Should read:
7	278	2	18	rights of others is to take nothing away from themselves. Il nous faut dire à la population de la province de Québec que nous sommes avant tout des gens de bonne volonté, des gens qui voient l'avantage profond de notre fédération et qui voient toujours les possibilités d'un nouveau Canada où les droits sont plus clairement exprimés, où les responsabilités sont beaucoup mieux partagées et où les identités différentes et diverses sont profondément reconnues et respectées avec dignité.



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Gigantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Hampton, Hon Howard</b>	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	
Kwinter, Monte	Wilson Heights	Lib	
<b>Lankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Martel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>North, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
<b>Philip, Hon Ed</b>	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
<b>Pilkey, Hon Allan</b>	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
<b>Pouliot, Hon Gilles</b>	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
<b>Rae, Hon Bob</b>	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
<b>Swarbrick, Hon Anne</b>	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
<b>Wark-Martyn, Hon Shelley</b>	Port Arthur	NDP	Minister of Revenue
<b>Warner, Hon David</b>	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
<b>Wildman, Hon Bud</b>	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

## COMMITTEES OF THE LEGISLATIVE ASSEMBLY

### STANDING COMMITTEES

#### Administration of justice

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Vice-chair: Mark Morrow

Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Fred Wilson, David Winninger

Clerk: Lisa Freedman

#### Estimates

Chair: Cameron Jackson

Vice-chair: Margaret Marland

Members: Gary Carr, Hans Daigeler, Ron Hansen, Karen Haslam, Wayne Lessard, Dalton McGuinty, Lyn McLeod, Anthony Perruzza, Margery Ward, Gary Wilson

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#### Finance and economic affairs

Chair: Jim Wiseman

Vice-chair: Ron Hansen

Members: David Christopherson, Norman Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Chris Stockwell, Barbara Sullivan, Kimble Sutherland, Brad Ward, Margery Ward

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Vice-chair: Michael A. Brown

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Clerk: Deborah Deller

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Chair: Robert W. Runciman

Vice-chair: Allan K. McLean

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#### Legislative Assembly

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Clerk: Franco Carrozza

#### Public accounts

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Members: James J. Bradley, Brian A. Charlton, Sean G. Conway, Mike Cooper, W. Donald Cousens, Pat Hayes, Paul R. Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson

Clerk: Tannis Manikel

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Vice-chair: Lawrence O'Connor

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Members: Ted Arnott, Brian A. Charlton, Marilyn Churley, John C. Cleary, George Dadamo, Leo Jordan, Paul Klopp, Steven Offer, David Ramsay, Len Wood

Clerk: Harold Brown

#### Social development

Chair: Elinor Caplan

Vice-chair: Joseph Cordiano

Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer

Clerk: Lynn Mellor

### SELECT COMMITTEE

#### Ontario in Confederation

Chair: Tony Silipo

Vice Chair: Gilles Bisson

Members: Charles Beer, Marilyn Churley, Ernie Eves, Charles Harnick, Margaret Harrington, Gary Maldowski, Steven Offer, Yvonne O'Neill, Fred Wilson, David Winninger

Clerk: Tannis Manikel

### SPECIAL COMMITTEE

#### Parliamentary Precinct

Co-Chair: David Warner

Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Irene Mathysen

Clerk: Smirle Forsyth



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## Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Tuesday 2 April 1991

## Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Le mardi 2 avril 1991



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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### **Table des matières**

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 2 April 1991

The House met at 1330.

Prayers.

## ROYAL ASSENT

**The Speaker:** I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Administrator has been pleased to assent to a certain bill in his office.

**Clerk Assistant and Clerk of Committees:** The following is the title of the bill to which His Honour has assented:

Bill Pr38, An Act respecting the Town of Markham.

## MEMBERS' STATEMENTS

### RACING INDUSTRY

**Mr Grandmaitre:** The Minister of Consumer and Commercial Relations has apparently seen fit to eliminate millions of dollars of funding allocated to the Ontario Racing Commission. These cutbacks will cripple Ontario's racing industry.

For the benefit of those members of this House who have not taken the trouble to familiarize themselves with all aspects of the Ontario economy, I would like to take this opportunity to point out that racing in Ontario is an important, agriculturally based industry, the disruption of which would have many wide-ranging implications for this province.

In 1989 alone, the racing industry generated over \$83 million in tax revenue to the province. Perhaps more significant, there are 22 racetracks in Ontario, and over 50,000 people, mostly from the agricultural sector, are directly employed by the industry across the province.

The Minister of Consumer and Commercial Relations will no doubt be aware that there are racetracks spread across Ontario from Sudbury to Windsor. She cannot claim that this is a marginal industry, nor can the minister claim that any disruption of racing in Ontario would be limited in terms of regional effect. Without government partnership, there are no racetracks. Without racetracks, over 50,000 jobs will be lost and a significant source of revenue to the province will be destroyed.

On behalf of those 50,000 employees whose jobs are now in jeopardy, I would ask the minister to reconsider her course of action. She knows full well the devastating consequences it will have for so many people in Ontario. I would ask the minister why she has chosen to target this one industry when she is in control of a vast ministry funding many Ontario programs which could also have sustained cuts. I would ask the minister not to sacrifice the interests of 50,000 employees because of her government's self-appointed mission to impose its moral agenda on all of the citizens of this province.

### HIGHWAY SAFETY

**Mr B. Murdoch:** I would like to bring to the attention of the House and the Minister of Transportation the very real dangers encountered by my constituents, as well as others in the province, who use the Rockford corner on Highways 6 and 10 south of Owen Sound.

This is an extremely busy corner. Anyone coming from or going to Toronto or Kitchener who has a cottage on the Bruce Peninsula or who makes the trip to Manitoulin Island uses this cutoff. As a result, the traffic flow is extremely heavy. Accidents and unfortunate fatalities are far more common than they should be. The minister will know that for years people have been petitioning the minister to put stoplights in this location, and to the minister's credit, he has included the reconstruction of this corner in his five-year plan.

I am very grateful for this, but I would like to point out the fact that until the work is actually done accidents are still happening. Only by speeding up the plans to make this corner safer for the travelling public will we be able to stop some of the senseless carnage occurring here. I urge the minister to consider giving top priority to this most important project.

### GUILD INN

**Mr Frankford:** One of the most prized amenities of my riding of Scarborough East is the property known as the Guild. Situated on the Scarborough Bluffs overlooking Lake Ontario, bounded by Carolinian forests and surrounded by green lawns and historical artefacts, the Guild Inn and the Guild property are a cultural and environmental heritage.

**Mr Bradley:** Haven't you nationalized that yet?

**Mr Frankford:** They already did.

Dating back to the 1930s, when it was called the Guild of All Arts, the site was developed and preserved through the foresight of the late Spencer Clark. In the difficult economic times of the 1930s it offered economic assistance to struggling artists; the Guild supported shops and studios for sculpture, weaving, ceramics and woodwork.

Members of this House will know that the site contains a hotel, where many of us have been entertained, as well as a collection of art and a unique collection of architectural details from old Toronto buildings. There are historic buildings, walks along wooded trails and spectacular views over the lake.

In 1978 the property was purchased from Mr Clark for \$8.2 million with public funds. In 1983 the Legislature passed the Municipality of Metropolitan Toronto Amendment Act. This established a board of management to run the inn, with a membership of 15, seven of whom were nominees of the Lieutenant Governor in Council. Clearly there was an attempt to have public involvement to maintain the character and amenities of the property.



The commercial operation of the inn has continued, with the involvement of a number of different companies in recent years. In the past year a major commercial development proposal has been announced, with the addition of 340 rooms to the present 106. This would result in a very dense development right in the middle of a residential neighbourhood. The residents of the surrounding area have expressed their opposition to the proposal, citing the impact of the scale of the project, the likely impact on the environment and the threat to the unique character of the Guild Inn.

I believe that there is a wider interest across the province in maintaining this unique amenity, particularly in light of—

**The Speaker:** The member for York Centre.

1340

#### CONFLICT OF INTEREST

**Mr Sorbara:** The Premier has made a virtue out of getting out of the promises that he made during the campaign, but he has also now breached commitments that he has made since the election campaign.

On 12 December the Premier introduced conflict-of-interest guidelines into this House, and at that time he promised that his ministers would divest of any business interests they had within 60 days and that he would report to the House. The Premier failed to meet that deadline and asked for an extension until 31 March, and now that deadline has been missed as well.

During committee consideration of these guidelines, the Premier made a very specific commitment to report to the Legislature and to the people of this province as to what assets his ministers would be retaining and what assets they would be divesting. In the guidelines, he proposed that, where it would be appropriate for ministers to retain their business interests, the reasons for retaining those business interests would be divulged to the House. It is now 2 April. The Premier made that commitment and he asked for an extension until 31 March.

It seems that there is no reason why the Premier could not have reported last Thursday to the Legislature. There is no reason why the Premier could not have reported over the weekend to the province. There seems to be no Premier's statement today on the matter of conflict of interest. Can the Premier tell us when his own ministers are going to comply with the guideline that the Premier himself has presented to this Legislature?

#### JUNIOR RANGER PROGRAM

**Mrs Witmer:** I would like to draw the members' attention to the fact that the Ministry of Natural Resources has eliminated some 96 positions from the Ontario Junior Ranger program, through the closure of three camps and cutting back on two others. I am shocked and surprised that, at a time when this province is facing serious unemployment problems and a lack of job opportunities, this government is cutting back on a valuable program which provides summer employment for our young people.

The Junior Ranger program not only provides its participants with a summer job which enables them to earn

money to further their education; it also provides them with valuable work experience and educational instruction. The work experience will give them the skills and the training they need in order to seek future employment and explore career opportunities. This program also promotes the development of the work ethic and social skills. The educational instruction gives the participants a greater understanding and appreciation of our environment.

I strongly urge the Minister of Natural Resources to reconsider the cuts to this program which provides job opportunities for our young people. On behalf of the students who will be denied the chance to participate in the Junior Ranger program, I urge the minister to reconsider.

#### AGRICULTURAL LEADERSHIP

**Mr Hansen:** I would like to make an announcement today on a topic which is important to me and all members of this House. It concerns leadership in rural Ontario.

We all know the importance of having good leadership in a community. We also know the importance of rural Ontario to the life of the province. Fortunately, there is a program that combines the best of these two worlds, the advanced agricultural leadership program. This program is an intensive two-year course in leadership development for proven agricultural leaders. The program has been such a success that an alumni association has been formed to continue education and training for graduates of the program.

The alumni association has come up with a program that will greatly benefit not only agricultural leaders in the province, but also the members of this assembly. I am talking, as many members will know, of the Ontario agricultural leadership alumni exchange. This is an excellent opportunity for the people in the agricultural community to come to Queen's Park and to spend a day with a member to try to get an understanding of how the system works.

It is also an opportunity for our urban colleagues especially to get out to rural Ontario for a day. They should just think about it—a calm, relaxing day communing with nature with no telephone calls and no meetings. Many of the members of this House have already signed up. I urge all members, especially those urban members who have never experienced rural life, to sign up.

A kickoff reception is being held today at 6 pm in room 247. I urge all members to attend to show their support for rural Ontario.

#### AGRICULTURAL INDUSTRY

**Mr Cleary:** Farmers were surprised to open the 26 March issue of Farm and Country and find out that the province had a new Minister of Agriculture and Food. The member for Essex-Kent was quoted in that issue making at least two significant agricultural announcements which we have been unable to find out from the current minister in the House.

The headline on page 2 of the farm magazine read, "Interest Rate Relief in the Budget." The article below said, "The new NDP government is expected to announce a short-term interest rate relief package in its April budget, says Hayes," and on the issue of the expected minimum wage increase the article quoted the member for Essex-



Kent as saying, "Don't think we're about to force that on farmers."

Farmers were glad to hear that the NDP government intends to follow the model of the previous Liberal government in providing interest rate assistance. The only questions we have are, will it call the program OFFIRR 2, or the Return of OFFIRR or the Son of OFFIRR?

Will the Premier tell us who is the real Minister of Agriculture and Food, the member for Essex-Kent or the member for Hastings-Peterborough, so that we may know whom to address the issues to in the House?

#### TORONTO TRANSIT COMMISSION

**Mr Turnbull:** The TTC has recently announced it is going to spend \$6.8 million to purchase electronic signs for its buses. At the same time, the TTC has also voted to cut costs by laying off almost 200 drivers and reducing service.

At this difficult time, \$7 million is a great deal of money to spend on bus signs. The people of Ontario have a right to know if they are getting value for their money. Did the TTC get the best possible deal for the contract?

Unfortunately, we will never know. Why? Because the manufacturers of signs in Ontario were never given the right to bid on this contract. It was never put out to tender. Instead, the Premier of the province sent a deputy minister to the TTC meeting to argue against public tendering of the contract in order to give the Urban Transportation Development Corp an exclusive deal.

Is this the way the people of Ontario can expect their government to do business from now on? Is the government going to continue to handle the taxpayers' money without any competition, without trying to get the best possible price, to run a closed shop? Is this another example of the NDP's efforts to reduce private enterprise in the province?

No wonder taxpayers are fed up.

#### CONSTITUTIONAL REFORM

**Mr O'Connor:** I rise today to add some views to the constitutional talks that we are entering. I also want to congratulate the select committee for the report that it was able to table in this Legislative Assembly.

The views I share today are from some of the over 70 from students from Brock High School in Cannington in my riding, and they have sent them to me in the form of letters. These young students range in age from 12 to 16 and represent the next generation of Canadians who will enter in another stage of our history. It gave me great pleasure to hear from so many young people, but that pleasure sure changed when our collective responsibility became obvious.

I am pleased to tell the House that those young people are indeed proud Canadians and wish to remain united Canadians. They wish us to proceed to maintain the multi-cultural heritage that has developed from sea to sea to sea.

They point out that in many different ways they see challenges before us in all sectors of our society. They included our native peoples' right to self-government. Some of the students were concerned about immigration

problems, but they realize that they are part of the great social programs that prove we are a great nation, if not the best in the world.

In conclusion, these students really can see the importance of maintaining our unity as a nation. We must live up to that responsibility these students see as ours. Mr Speaker, thank you for listening to these young Canadians.

#### VISITORS

**The Speaker:** Members may wish to welcome to our gallery two former members of the assembly: previously from the riding of Lambton, David Smith, and Jack Johnson from Wellington.

1350

#### STATEMENTS BY THE MINISTRY

##### GARBAGE DISPOSAL

**Hon Mrs Grier:** I am speaking in my capacity as minister responsible for the greater Toronto area.

In late November I advised the House in my capacity as Minister of the Environment of the new directions this government would be pursuing to bring the management of waste in Ontario into the 1990s. I said this government would make waste reduction the cornerstone of our 3Rs programs. In February I announced the aggressive 3Rs programs which the ministry will pursue through the newly established waste reduction office.

The second commitment I made last November was that we would consult the public on ways to improve the environmental assessment process. These consultations are under way. The Ontario Environmental Assessment Advisory Committee is holding meetings in various locations across the province. I am confident that our goals of establishing a process which is environmentally sensitive, timely and cost-effective can be achieved.

I also said that we would address the problem of waste disposal capacity in the GTA. It is this third point, the GTA garbage situation, that I will be addressing today in my capacity as minister responsible for the GTA.

We all know the previous government's prescription for GTA waste: exempt short-term disposal sites in the GTA from the Environmental Assessment Act and try to find a remote location for a long-term site.

I have considered the pros and cons of this approach from many different perspectives. I have discussed the proposals with representatives of municipalities and interest groups and with individual citizens. I have looked at how these previous proposals fulfil conservator society goals. I have considered what they might do for the environment and what they might do to the environment.

The impact on a remote community of disposing of refuse from four million people, even after the diligent application of the 3Rs, is unthinkable. Waste must be disposed of as close to the source of generation as possible. I have decided that the search for a long-term waste disposal site for the GTA will not be outside the GTA. This is a fundamental departure from the approach of the previous government.

The search for new capacity will proceed as quickly as possible and will draw on data collected already by the



GTA regions and by the Solid Waste Interim Steering Committee. As well, it will benefit from the public input received through the consultation processes undertaken by the regions, SWISC and more recently by myself.

I do recognize the past effort that the region of Halton has made for providing its own waste disposal capacity. Halton has more than 10 years of landfill capacity for itself, achieved after a long and difficult site search under the environmental assessment process. I therefore believe it is fair in this situation to exclude the region of Halton from this search for GTA solid waste disposal capacity.

In the near future, I will bring forward legislation to establish the new public authority which will have the responsibility for finding new long-term landfill capacity. I will expect this authority to reinforce individual, community and industry responsibility and action on waste reduction; recognize the importance of education and communication in achieving our goals; foster social equity and the conserver society objectives; ensure new facilities are environmentally sound; carry out positive public consultation and involvement; ensure facilities are operated on a true cost-recovery basis; and reinforce the important role of the regions and local municipalities in waste management.

Until the legislation is in place, I have directed an interim staff team to initiate the process of finding longer-term landfill capacity, enough to last the GTA many years. I have directed the interim team to focus the search effort on finding three landfill sites within the GTA. The process for evaluating alternative sites will be consistent with the improvements we are developing in the current consultations on the environmental assessment process.

I want to reinforce conserver society objectives by keeping disposal facilities as close as possible to the sources of waste generation, to respect, if possible, the existing contractual arrangements between GTA regions and to reinforce local responsibility for waste management.

I know there are limitations inherent in trying to find an environmentally acceptable site within Metro Toronto's boundaries. Accordingly, I am instructing the interim site search team to look for one site in York region and Metro Toronto to serve York and Metro Toronto, consistent with the process Metro had undertaken through the solid waste environmental assessment plan to look for one site in Peel to serve Peel's needs and one site in Durham region to service Durham's disposal needs.

Each site, however, will have a licensed service area that will allow it to accept waste from the other GTA regions should there for one reason or another be difficulties with one particular site. Over the coming weeks, the details of the site search criteria and the rigorous environmental screening criteria to be used in this process will be announced by the project team.

There is much to be done to make this new approach work. I recognize that in spite of aggressive waste reduction efforts, the capacity of existing facilities could be exhausted before the long-term sites are in operation. There are many arrangements for this interim period which need to be worked out and which will present us with some very difficult decisions.

I have instructed the Ministry of the Environment to look at all the alternatives for addressing these possibilities, and I will be consulting widely on possible courses of action in this regard.

Finally, let me assure this House that this government is determined to provide the leadership to turn this situation around and find the right long-term solutions to the solid waste crisis of the 1990's.

#### HEALTH PROFESSIONS

**Hon Mrs Gigantes:** I am introducing today for first reading, if not for the first time, the Regulated Health Professions Act and 21 health profession acts. It is the result of many years of intensive consultation with professional and consumer groups, and I am the seventh Minister of Health to be personally involved with this legislation.

These bills are very similar to those given first reading by the House last June. They stem from the recommendations of the health professions legislation review, Alan Schwartz's review, which was non-partisan and independent.

The current patchwork of health professions legislation is antiquated and inadequate. Currently, eight different acts regulate 18 health professions. These new bills will bring 24 health professions into a uniform regulatory system, including seven professions which are now unregulated.

We believe the laws that regulate health professions must be changed to better serve the public interest and to provide a more modern framework for the work of health professionals. Consumers of health service have the right to receive health services that are competently performed, services which suit their needs and choices. On the other hand, health professionals have the right to work in a system that is equitable and in which their autonomy is respected and their contributions recognized.

This legislation preserves self-governance as Ontario's regulatory system. However, it contains features designed to ensure that the councils that govern professional colleges and their committees will govern themselves in the public interest. It will be a more open and accountable system of self-governance.

The health professions legislation review recommended that one third of the membership of governing councils of the professional colleges be composed of laypeople appointed by the government. We believe that for the consumer voice to be effectively heard, there must be a more substantial increase in public participation on the councils. It is therefore our intention to introduce amendments to increase public membership to just under one half. We will work with the professions to determine the precise numbers of public and professional members on college councils and committees.

For the same reason, a minimum number of public, that is, non-professional, members on discipline committee hearing panels will be doubled, to two. This particular change appears in the bills to be given first reading today. There is also a need to introduce greater flexibility into our health delivery system and to have a system that carries the values of equity and fair opportunity.



1400

Under the current health professions legislation, exclusive licences describing broad scopes of practice are given to certain professions. This system has impeded some professionals from performing to the full extent of their capabilities and competence. It has also failed to recognize professional autonomy and subjected too many professional groups to the dominance of more traditional professions.

The new way of regulating who does what set out in this legislation is based on the concept of controlling potentially dangerous acts. Thirteen categories of hazardous acts are restricted to regulated health professionals; everything else is in the public domain.

Interjections.

**The Speaker:** Whether all members have a particular interest in hearing the announcement is of little consequence. What is important is that the minister has the opportunity to be heard.

**Hon Mrs Gigantes:** We believe this system will be better for health service consumers, better for health care providers and better for the health care system overall. The Regulated Health Professions Act deals not only with which professions provide which services but also with the quality of the services they provide. The new legislation requires each profession to set up its own quality assurance program. For the first time, every regulated profession will have a statutory system to assess the overall competence of its respective professionals. As well, consumers will have rights to complain about all regulated professionals.

I would like to take a few moments to talk about what this legislation will not do. In the health professions legislation review there was a section known as the "basket" or "harm" clause, which sought to protect consumers from harm that might be caused by unregulated practitioners, even when no controlled act was being performed. That section has not been included in the legislation. I believe it is unnecessary. The controlled acts provide ample protection for consumers.

Another thing this legislation will not do is deregulate the naturopathy profession. Naturopaths will continue to be regulated under the Drugless Practitioners Act until the new Health Professions Regulatory Advisory Council, all laypeople, provides me with advice as to what the profession's scope of practice should be. A Naturopathy Act will then be introduced. Consideration of naturopathy's scope of practice will be the advisory council's first task. The council itself will be established as soon as possible after the legislation receives royal assent.

Finally, personal care attendants will continue to provide assistance with routine activities and support for daily living for persons with disabilities. An exception to the controlled acts for personal care attendants will be created by regulation. We are committed to involving persons with disabilities in the drafting of the regulation. Acupuncture will also be exempted from the controlled acts.

The Health Professions Regulatory Advisory Council will serve to ensure consumer input into the development of policy in this area. This will be achieved through the advisory council's lay or public membership and through

its processes. I will ask the advisory council to conduct a review of the operation of this legislation five years after the act comes into force. The council will study the impact of the innovative concepts in the legislation and review its effect on professional self-regulation.

Over the years of this legislation's evolution, most of the consultations have been dominated by professional groups. To health consumers, I would like to say, "Now it's your turn."

It is my hope that the bills will be referred to committee, and I will ask the committee to make special efforts to hear members of the public, consumers who wish to make submissions, and to allow consumers to contribute to this lengthy and complex legislative package. I have asked the Ministry of Health to make information available to all interested members of the public.

I want to use this public occasion to extend a thank you to all those who have contributed to developing this legislation: to Alan Schwartz, who did the original review, to my predecessor Ministers of Health, to members of the Ministry of Health staff, and in particular to the health professions, consumer organizations, public interest groups and individual members of the public who have dedicated much time and effort to bringing this bill forward. With the help of all these people, I believe we will reach our goal of providing legislation that will satisfy the needs of both the public and the health professionals.

## RESPONSES

### GARBAGE DISPOSAL

**Mrs Sullivan:** I am responding to the statement of the Minister of the Environment, who has once again put forward another piecemeal addition to a garbage policy as if it were a thought that just occurred to her; a whim, if you will. It is very clear that there is no waste management strategy here.

On 22 November the minister announced an authority for the greater Toronto area that would deal with the garbage. Five months later we have seen no legislation, we have seen no appointments of a chair or a board, no mandate, no funding, no criteria for site selection and no time lines. The minister acknowledges in this announcement that there will be a garbage gap. The minister has not, however, assured us that no garbage will be transported out of the GTA or out of the province, as Halton has had to do when its site was full, when the other sites are very clearly full—and that is going to happen, as she knows, within the next two years.

It is also clear that existing sites must be used. Once again Keele, Brock West and Britannia Road are on the table. The emergency powers that she said she will use will clearly have to be invoked. She is not even bringing in regulations for her much-touted reduction targets until 1992.

We must ask the minister what sites she has in mind for GTA garbage. Will they be on class 1, 2 or 3 farm land? Will they be in the Oak Ridges moraine? Is Whitevale back on the table? What development freezes has she enacted in addition to Britannia that have not been announced and that people do not know about and where there has been no public consultation? What environmental



screening processes will be put into place? She has indicated that there will be some. Will the new sites be subject to the existing Environmental Assessment Act or the new process which she has promised? However, there is no legislation in the House to bring that process in.

I also want the minister to put on her other hat. What are the rules relating to transportation of waste for other parts of the province? She is speaking as minister responsible for the greater Toronto area today; she should speak tomorrow as Minister of the Environment.

Every minister's statement to date on this issue has been imprecise and unrealistic. This minister's lack of action is shocking both in her naïveté and in the frustration that it causes. There is no answer to the problem in this statement.

1410

#### HEALTH PROFESSIONS

**Mr Phillips:** I am pleased to respond to the Minister of Health. I guess most members could predict what our response would be when she said early on in her remarks that the legislation is very similar to that which was tabled in June. I guess obviously the question that would be asked is, what took so long to bring it forward?

I think the members of the public will appreciate that the legislation is important. I do think it will broaden the choice for the consumers of health care in the province but also provide the necessary quality assurance. While the legislation has very broad support, I think the minister and others will appreciate that we look forward to second-reading debate and also the broadly public hearings, because there is still within the bill some considerable debate.

In regard to the comment the minister made on eliminating the "harm" clause, the "harm" provision, I think we will see a fair bit of debate, because I think there is not necessarily a consensus on that issue out there. It is one that I think at the committee hearing stage will be very important that we debate.

I think the most important thing that I would like to comment on is somewhat symptomatic; that is, my concerns about the ministry right now. As I have expressed before, I think there is a backlog in the ministry. I felt that this legislation could have come forward sooner. I have been looking forward to the long-term care reform enactment. I have been looking forward to the minister's announcements on community-based care. I have been looking forward to her announcement on northern health care which, as the minister may recall, she said she would bring forward in November when I asked in the House. I have been looking forward to her response on out-of-province billing, on the Ontario Medical Association negotiations, on the drug benefit plans. All of these things are backing up and beginning to, I think, feed the reputation and the term the minister is known by now, as sort of Dr Do-Little. We are concerned that in the Ministry of Health things are backing up.

As I say, this piece of legislation is symptomatic. It has taken six months to come forward. The problems in the Ministry of Health keep coming. The minister is going to have to begin to deal with them faster or they will pile up

and we will see some significant concerns. We are pleased to see the legislation today and we look forward to the public hearings, but we urge her to get on to eliminating the various backlogs in the ministry.

#### GARBAGE DISPOSAL

**Mrs Marland:** I am responding to the minister responsible for the greater Toronto area. The minister must feel about as ill reading the statement today as I feel hearing it, quite frankly. After everything that she has stood for, after everything that she promised, I can hardly believe that she can stand in this House today and read this statement. Either she is getting very bad advice or she has thrown everything that she stood for to the wind.

I think it is colossal that for the second time she is again announcing the new public authority, six months after she announced it the first time in the throne speech. Six months later, she decides that she is not going to have it until she brings in the legislation. Who has power over bringing in legislation? The minister could have brought in that legislation in November had she had the good intentions. Furthermore, now she is handing over the responsibility to "an interim staff team." How irresponsible could she possibly be as the Minister of the Environment? She is handing over to them the responsibility for finding longer-term landfill capacity.

When the minister goes on and she reads further into her statement the fact that every site of the sites that she is talking about, the three sites in Metro, Peel and Durham, she is saying they "will have a licensed service area" which may accept waste from other GTA regions, "for one reason or another," but she does not say what that reason is. She does not say what the reason is that she has actually copped out on her responsibilities. Then she goes on to say that after she develops "the rigorous screening criteria," she may have to make some very difficult decisions.

Well, six months later, the minister is not making any difficult decisions. Six months later, she is making the most hypocritical statement of her career, and I think it is very unfortunate. We can only assume it is the bad advice she has received. In all the years she has stood for the environment in this province, all I can say about this statement is that after all her promises of no expansions, no new sites in Metro, she is now looking at sites that she turned down before. Simply put, the empress has no clothes.

**Mr Cousens:** Garbage stinks, the statement stinks, and Metro Toronto is going to be smelling its own garbage pretty soon. This minister has just not come through. I mean, the promises—that was then; this is now.

#### HEALTH PROFESSIONS

**Mr Eves:** I would just like to respond briefly today to the statement made by the Minister of Health. I might point out that it has been some 26 months since the Schwartz report was tabled that we are finally getting this legislation tabled in this House again. I would like to reiterate a couple of the comments already made.

Interjection.



**Mr Eves:** That has got nothing to do with the 26 months that have gone by in the interim, I say to the Minister of Housing. With respect to naturopaths, the ministry has had since the Schwartz report was introduced to deal with this crucial issue. The government, to be fair, has had at least six months to deal with this issue. I presume that Dr Barkin is still over there and that most of the officials of the Ministry of Health are still over there. They have had two years and two months to deal with this problem. I am kind of surprised today that we have not come forward with an act to deal with that profession. I am also kind of surprised and concerned about the ultimate disposition of the diagnosis clause and, in particular, the harm clause, or lack thereof, as the case may be in the future, with respect to this legislation.

The coalition of unregulated practitioners, which I am sure the minister is aware of, has some serious concerns about both clauses, but specifically, I think, it is important to say more importantly about the harm clause in the legislation. There are all kinds of professional individuals out there, be they psychotherapists, social workers, pastoral counsellors, parole officers, crisis centre counsellors. All these people are concerned about a proposed the revised definition of the harm clause, if there is going to be one. Is the minister saying in this House today that there is not going to be a harm clause, period, of any description whatsoever, that she is not going to consider that during—

**Hon Mrs Gigantes:** I just said it. Were you not listening?

**Mr Eves:** They have some serious concerns about that as well, and whether or not they will be placed in legal jeopardy as a result of not having a harm clause. I think it is fair to point out to the minister that is a concern of theirs. They have said as recently as this morning that they have not been able to get a response out of the minister as to whether there would or would not be a harm clause and whether it will or will not be considered during committee deliberations.

#### MEMBER'S PRIVILEGES

**Mr Tilson:** Mr Speaker, I rise on a matter of privilege of which I have given you notice earlier today.

To paraphrase Beauchesne's Parliamentary Rules and Forms,

"Parliamentary privilege is the sum of the peculiar rights enjoyed...by members...without which they could not discharge their functions and which exceed those possessed by other bodies or individuals."

This, of course, echoes Erskine May's interpretation of privilege.

I should also like to refer you to item 2 of subsection 45(1) of the Legislative Assembly Act, which I paraphrase as follows: "The assembly has all the rights and privileges of a court or record for the purposes of summarily inquiring into and punishing, as breaches of privilege or as contempt...the acts, matters and things following...obstructing, threatening or attempting to force or intimidate a Member of the Assembly."

Allow me to briefly outline the details of what I consider to be a breach of my privilege as a member of this

Assembly. You will recall that last December, I raised here in this chamber the matter of the Deputy Minister of Culture and Communications, David Silcox's, rather excessive expense accounts. I did so with the view to determining whether the current Minister of Culture and Communications condoned the spending practices of his deputy and whether he was prepared to put an end to them.

I also raised the matter to draw the members' attention to the issue of government waste, the kind of excessive abuse of public trust and apparent unfettered access to public moneys that offends all but the most jaded taxpayer. My question and the minister's answer were given wide coverage in the media.

In January 1991, Mr Silcox was replaced as deputy minister. I am told that he is currently serving as special adviser to the secretary of the cabinet pending his posting at the University of Toronto as part of an executive exchange. Subsequent to this, it was brought to my attention that a rather lavish party was being planned for Mr Silcox's retirement from the ministry.

The flyer promoting this event states in part that, "The beautiful cascading lobbies of the Elgin and Winter Garden Centre will set the stage for us to convey our warm regards to a dedicated colleague and friend." I was reliably informed that tickets were being flogged to this event, \$15 for bargaining unit employees and \$25 for managers or higher.

I should tell you, Mr Speaker, that I was rather disturbed by the notion that public servants and others, including those who deal with that ministry, were being hit up for tickets to this event. I expressed that concern in an interview with Gerry McAuliffe of CBC Radio. I said in that interview that what Mr Silcox did with his expense account was wrong.

1420

Late last week, I received a letter from Stephen T. Goudge, who practises law with the firm of Gowling, Strathy and Henderson. Allow me to read Mr Goudge's letter.

"Dear Mr Tilson:

"Re David Silcox:

"We are the solicitors for David Silcox and as such have reviewed your statements in the report by Gerry McAuliffe on CBL on March 1, 1991.

"You allege that it is obviously quite apparent that what Mr Silcox did with his expense account expenditures was quite wrong.

"Your allegation is utterly false. As you should know, these expenditures were all properly undertaken in the proper discharge of Mr Silcox's duties as Deputy Minister of Culture. Moreover, they were vetted and approved by the Provincial Auditor.

"Please be advised that should you repeat these or similar false allegations outside the Legislature we are instructed to commence proceedings against you.

"Yours very truly,

Gowling, Strathy and Henderson,  
Stephen T. Goudge"

I know full well that Messrs Silcox and Goudge cannot silence me in this chamber or in committee, and I am



clearly subject to privilege, while at first glance it might appear that something said outside this House is not subject to privilege. I would ask you, Mr Speaker, to consider the full implications of senior public servants threatening members with legal action every time they say that something a public servant has done is wrong. Mr Speaker, I would suggest to you that we could not discharge our duties as we traditionally have, nor as those who have sent us here expect us to.

This letter is nothing more than a bald-faced attempt to muzzle me, and I would hope that all members would share in my indignation at being told by a public servant that I will be sued if I pursue this matter outside the House. Mr Speaker, a threat is a threat, and while we all react differently to threats, I would suggest to you, and through you to members, that threats such as this one weigh heavily on us and truly affect our discharge of public duties.

As well, I would suggest to you that a threat such as this from a senior public official cannot go ignored. If we as guardians of the public trust and public purse are limited to expressing our criticism of public servants' actions in this House and its committees for fear of being sued by those same public servants, we will be reduced to being little more than prisoners of this place:

Mr Speaker, I would ask you to consider whether I have a *prima facie* case of privilege in this matter.

**The Speaker:** First, I would like to express my appreciation to the member for having notified me in advance and, second, for having raised this matter outside of the time allotted for oral questions. I have listened carefully to the matter the member has brought before the House. I will deliberate on it and get back to you at my earliest convenience.

## ORAL QUESTIONS

### FOOD BANKS

**Mr Nixon:** I have a question for the honourable Minister of Community and Social Services. Over the past year, there has been a 48% increase in people using the Toronto food banks, as she is aware, and over the weekend, as she is also aware, the community did its best to raise sufficient food to carry on its activities during the summer months—the rest of the spring and the summer months—in the face of the recession that we are all aware of. Mr Speaker, you would be aware of the frustration expressed not only by the leadership of the food bank movement and its organization, but the many volunteers from across the city who assisted in collecting and packing the food, since they fell far short of their requirements.

I wonder if the minister could tell the House then, since her interest and commitment to this and the interest of the head of the government and all members of the government—as a matter of fact, all members of this House—is clear in this regard, why she has so far failed to take the sorts of actions that would ameliorate this problem which has been bad in the past and continues to worsen.

**Hon Mrs Akande:** I do believe that I have in fact taken action that responds to this important need. We have taken the kind of action which was initially recommended and supported by the food bank, and our increasing the

shelter costs did result in a 3% decrease in the use of the food bank.

**Mr Scott:** Time for a cabinet shuffle.

**Hon Mrs Akande:** The other thing we have done is we have focused on our back-to-work initiatives and our retraining initiatives which have taken people off the rolls of social assistance and put them back to work, which is a great support to those people and of course also decreases the number of people using food banks.

The reality also is, though, that we are in a recession and that during that recession there is an increase in those who are using food banks. That increase has resulted in different people moving to use the food banks because of the transition of their moving from a salary to living on social assistance. We are moving and we continue to move to address their needs.

**Mr Scott:** That is when food banks are required, when you're in a recession.

**Mr Nixon:** The interjections by my colleague from St George-St David are, as usual, effective and thoughtful, because his point is well taken. It is during a recession that the assistance is needed. The minister is indicating that once the recession is over and the Treasurer's cash flow resumes, the NDP may in fact move towards fulfilling its promises to the needy and those on a wide variety of social programs in this province.

Surely in this instance it is obvious that action should be taken on a priority basis and the argument that the honourable minister is giving that we should wait until after the recession is on the face of it irrelevant if not ridiculous. Would she not see fit to try to persuade the Premier, who is shaking his head, and the Treasurer, who is white-lipped and trembling, that—why could she not use her undoubted influence to point out to these people who seem to be heartless as well as incapable of keeping the most rudimentary promises that this is one that must be kept now, not when the money is flowing into the coffers? It is now that the need is apparent.

**Hon Mrs Akande:** Once again, it seems that the member has misunderstood, has misheard and, therefore, has misquoted. I have in fact stated that we have addressed the problem. I was only mentioning the recession in order to—

**Mr Scott:** She wouldn't even go to the food bank. It's not that far from Forest Hill. Get down there.

**The Speaker:** I appreciate that all of us have had an opportunity to rest, some a greater opportunity than others, but perhaps we could curb our enthusiasm and allow the minister to continue with her response.

**Hon Mrs Akande:** I have mentioned the food bank only to emphasize the point that people are at this point in time losing jobs and during the period of their transition from a salary to a point when they are accommodating to living on social assistance, there is a period of adjustment that is required, and that in fact swells the roles of the food bank. I would also mention that it is a load that this province has determined to carry on its own, because of course we have received no assistance from the federal government,



and that we have moved to reduce the imposition on the municipalities by several acts we have done.

**Mr Nixon:** I do not believe the issue can be put off either on the recession or the federal government. I think the honourable minister would be a bit sensitive that she and the head of the government were singled out for criticism by Gerard Kennedy, who is highly regarded in this community as one who does not fool around with politics particularly and has a commitment to the Daily Bread Food Bank situation and one in general to the welfare of the community.

I just simply quote from his reported comments: "This is a pretty fundamental issue morally. I'm sure the idea that they"—meaning the NDP government—"would take care of social needs in a more compassionate way was part of their appeal." He went on to say, "We are not impressed."

Since there are many recommendations made in this regard that the honourable minister would be aware of that have come from those people who go to the food banks for assistance themselves, such as that there should be free transit passes for them to assist in finding employment and to go to their work; that there should be more subsidized housing, which was clearly promised by the government as the number one priority; that there should be further increases in their assistance and their education and training programs and school breakfast programs, would the minister not agree that there are alternatives, if not easy solutions, she must surely be recommending? Who is going to do it if she does not do it? Who is going to solve this problem other than waiting for good times to come when these people, who will then be employed, will not need the food banks? Would the minister not indicate to the House that she has a better answer than that which she has already delivered and which might move towards some sort of a reasonable solution?

1430

**Hon Mrs Akande:** The member is quite right. Gerard Kennedy is not a man who fools around with the issue, and this government is not a government that fools around with the people who have grown to depend upon it.

I commend Mr Kennedy's focus at the food banks. Yesterday I was spending my time meeting with people whose needs are indeed great, who in fact are users of the food banks who have come to me to ask what they might do to assist their situation.

I might also say to the member, though he seems unable to realize this, that we do assist in terms of transportation costs. We assist with transportation costs for those who are on back-to-work projects, we assist with transportation costs for those who are receiving training and we assist with transportation costs for those who are on low income and who require subsidies. So it is an initiative that we have long thought of and that will continue to grow.

The other thing is that now that Back on Track has come to us, we will be very quickly dealing with those issues.

**Mr Nixon:** I am interested in the aggressive response from the minister, but she is still failing to solve this particular problem.

## HAZARDOUS WASTE

**Mr Nixon:** Now we will turn to another minister, the Minister of the Environment. I have in my hand a copy of a letter signed by the counsel for the intervenors representing Ontario in the case before the Honourable John T. Curtin, United States District Court in Buffalo, regarding the disposition of chemical waste in that area, which is contaminating the Niagara River and, through that, Lake Ontario and the water sources for many communities in Ontario and the United States.

I am alarmed and frankly surprised that this letter, which must have been sent with the approval of the ministry, if not the minister, withdraws the long-expressed objection of the province of Ontario, the former Minister of the Environment and the former opposition critic of the Environment, to the proposal from the United States that this containment would be sufficient only if walls were built around the chemicals that are buried, rather than their excavation and proper disposal.

Can the minister indicate the veracity of the position I indicated to the House the ministry apparently is now taking? How can she explain a complete change in view she is now taking as minister, as opposed to when she was supporting the former Liberal government in objecting to anything other than excavation?

**Hon Mrs Grier:** I am very glad to have an opportunity to explain the position the ministry has taken in this respect. Let me say to the Leader of the Opposition that I certainly support and admire the position taken by my predecessor, the member for St Catharines, in his fight to try to get excavation of these sites on the US side of the Niagara River.

Unfortunately, what happened, as I suspect the Leader of the Opposition may know, is that the court ruled the intervention by the province of Ontario was not in fact valid and therefore the attempt to achieve excavation would not be allowed. What then happened was that consultants came back and indicated that, in their view, the plume that was moving off this site was not moving towards the Niagara River, but could be seen to be going or considered to be going to another location known as, if I can remember it, the Buffalo Avenue plant site.

The position of the ministry is that there was nothing to be gained by continuing in the direction that had been taken under the previous minister because of the court ruling, and it would be more effective if we proceeded with our attempts through the courts in response to the Buffalo Avenue plant site remediation plan which, it is felt by the consultants, will catch the aquifer that may or may not be flowing off the S site towards the Buffalo plant site. I do not know if I have made myself clear, but let me assure the Leader of the Opposition that this is an extremely complicated remediation and legal situation.

**Mr Nixon:** It will not be necessary for me to put on the record again the wide variety of quotes that came from the present Minister of the Environment supporting the former minister in his strong position that only excavation would be appropriate. She, as a close consultant with the



many environmental groups, was certainly a clear voice for reason in those days.

Without quoting extensively from the letter signed by the minister's employees, it is clear that the officials in the ministry have expressed, under seven specific points, their continued concern with the proposal the minister is now accepting. Can she think of no appropriate action, such as talking to her colleague to her right, who I understand will be meeting with Governor Cuomo some time in the immediate reasonable future, to indicate that such a proposal without excavation is not acceptable and that at the very highest level, if we may put it that way, there is still some room to see that the consumers of Great Lakes water downstream from the Niagara River are going to have the protection she herself in her wisdom formerly was insisting on?

**Hon Mrs Grier:** I do not know whether Governor Cuomo can overturn a court decision, but the court decision taken was in fact appealed, and in both cases Ontario lost because the selected remedy could not be proven to be effective. Therefore, the letter which the Leader of the Opposition quotes explains, as he said, very clearly the concerns of the province of Ontario with the plans of New York state and ends up with, which the Leader of the Opposition did not quote:

"Ontario is concerned relating to contamination in and under the Niagara River to the Buffalo Avenue main plant litigation. Ontario intends to monitor the Buffalo Avenue main plant litigation closely to ascertain whether its concerns are being adequately addressed. We are using whatever legal avenues are open to us to continue to get the best possible solution to the problems that have been allowed to fester on the New York side of the Niagara River for these many years."

**Mr Nixon:** The honourable minister is indicating there are no alternatives other than to agree to the American proposal. Yet the letter signed by her intervenor counsel says in the final paragraph, "Ontario will not object to the entry of the RRT stipulation by this court."

Why should we not object to the entry of that stipulation, which is the one we feel is totally inadequate? It is the one we believe will still allow leachate from these deposited chemicals over the years to move out of the bottom of the pit. Would the minister not continue to agree that if she does anything other than insist with all of her authority, moral and otherwise, that excavation and disposal be undertaken, she will not be adequately serving in her responsibility as minister to the people of this province?

**Hon Mrs Grier:** There is no doubt the preferred alternative of the province of Ontario, as it was under the previous government, is excavation of these sites. But when the court rules against you, when the appeal court rules against you, you have to find the best possible avenue to proceed. It is the opinion of our counsel and our counsel in the United States that the best way to proceed is to continue the litigation with respect to the next site, which is the Buffalo main plant, and that will continue.

1440

#### SCHOOL BREAKFAST PROGRAM

**Mr Harris:** My question is to the Minister of Community and Social Services. Today, in response to the Leader of the Opposition as to where she was on the weekend, the minister indicated she was busy meeting with people.

During the election, and last December in a direct question to the Premier, I asked whether the Premier would not take the lead or have his government take the lead in co-ordinating a breakfast program, and it could be financed corporately and run with volunteers at little or no cost to the taxpayer to provide hungry children with at least one meal each schoolday. I do not know whether it was a brand-new idea to him or not, but the Premier at that time said they would look into it. He assured the House my suggestion was one his government would consider.

I wonder if the minister could tell us then specifically what contacts or meetings, if any, she can relate to us today that she has had with individuals or groups who might want to be involved in the delivery of this type of program.

**Hon Mrs Akande:** Actually, as the member may know, I did in fact have a lunch program at the school where I was formerly principal. We have discussed some of this information with a couple of the municipal councillors concerning how Toronto would be dealing with it. We have also discussed it with people who were involved in the food banks. We have also looked at the implication of such a program when our focus has been to make sure that families have an adequate income, so that they can provide appropriate parenting for their children, including feeding.

**Mr Harris:** Now that we know all her thrust and all her focus have totally failed, there are more and more children who are going to school hungry, there are more and more people relying on food banks and her answer is, "We're pursuing this other option," which is a total and abject failure.

The minister keeps telling us and the Premier keeps telling us they are consulting, it is going to be a consultative government. She knows the need is there. She has had many groups come forward, many school boards. Many corporations say they would be willing to participate. Can the minister tell us one school board she has consulted with about the possibility of bringing in a breakfast program for children who are hungry?

**Hon Mrs Akande:** In actual fact, when the member is referring to school boards, I have discussed this matter with the director of the Toronto school board, who is Joan Green, and with some members of the York city school board. In reality, it is the decision of this government to focus our funds where we can serve the greatest need. Our focus has been to provide for people in a way that supports them to parent their children and to provide adequate funds for shelter, as well as for food.

**Mr Harris:** The proposal I brought forward to the Premier last December, which I talked about in the campaign, the proposal that the private sector has talked to me about that many individuals are talking about, does not



require extensive consultation. It does not even require very much money, if any. What it does require is some leadership from the minister, and if the minister will not do it, perhaps the Premier, some initiative in co-ordinating those resources.

I would ask the minister, when there are so many people willing to volunteer time, money, facilities, when it is work at no cost to the taxpayer in some examples already, why will she not show some leadership, help co-ordinate the existing sector and volunteer resources and provide a meaningful province-wide breakfast program that could be put into place at literally no cost to the province? Why will she not do that?

**Hon Mrs Akande:** Once again I must say to the member that we have consulted and we will continue to consult, but our decisions will be made on the basis of what provides the best support to most people and that is the most adequate income. The focus of that is the implementation plan which is coming back to us relative to Transitions. That is where we are focusing our energy and that is the plan that at the moment we consider to be the most effective.

**Mr Harris:** To tell the minister the truth, I cannot believe she is standing here and telling us that hungry children are not as high a priority as some 50 other programs that she is talking about. That is a disgrace, to stand up in this House and tell us that she has other priorities than hungry children.

#### ECONOMIC POLICY

**Mr Harris:** My question is to the Treasurer. I was shocked to hear; I would assume that he was shocked to hear; I would hope that all of those who are concerned about value for money were shocked to hear, that some of his government's so-called anti-recession package money is earmarked for transportation projects that are already planned and are already budgeted for by municipalities.

What mechanism does the Treasurer have, what auditing procedure, what control procedures does he have, before he throws all this money away, that satisfies and assures him that any of the Ministry of Transportation proposals will do what they are intended to do with this money, ie, be spent on new projects and therefore create the new jobs that he is hanging his hat on and saying all these jobs that he is creating. It is the only program he has got. Can he give us any type of assurance that he has any kind of reporting or auditing mechanism that has integrity in it?

**Hon Mr Laughren:** I should perhaps correct some of the impressions out there about the whole question of transportation projects. The projects that were approved by the operations committee, chaired by my colleague the Chairman of Management Board, came from the municipalities themselves. The Ministry of Transportation asked the municipalities all across the province which projects they would appreciate some support on from the anti-recession package. By the way, a lot of those projects had been on the shelf from 1990 and they updated them to 1991 in some cases, although in many cases the priority of those projects had not changed in the various municipalities. So in fact we did not decide, "This is the project you must

do." We felt that since the municipalities are our partners out there they should have a say in what their priorities were and they selected the projects that they would use to create jobs in their municipalities and improved their infrastructure at the same time.

I am very pleased with the way the operations committee established the criteria and set the priorities all across the province and I am convinced that they did a good job and that those funds will be used to improve roads in the municipalities all across the province.

**Mr Harris:** The question I asked the Treasurer was whether he has any mechanism in place. I guess what he is saying is he does not have any mechanism in place. The Treasurer stands in his place, he makes an announcement, he says, "We're spending \$700 million, that's our anti-recession package." Now we find out at least some, perhaps all, of this money is not creating new jobs; it is not going towards new projects. We know of two that the Minister of Transportation himself admits to. We know the city of Guelph says it got \$1.3 million just for the asking. It was already spending the money anyway. We see another—Kitchener—some of the grant money there that has been reported, saying, "Oh, yes, we were going to do that anyway."

The Treasurer knows it is an election year. He knows that municipalities are on the front line of tax increases right now, so if he gives them the option of using the money anyway, does he really think that they are going to go out and embark upon some new projects to create new jobs? I ask him one more time, does he have any mechanism in place to assure him—I would think he would want to be assured. Since he does not care, how about assuring this House and the taxpayers that this money is not being spent for other purposes?

1450

**Hon Mr Laughren:** I am surprised at how little trust the leader of the third party has in our municipal partners out there. When the projects were approved they were approved as specific projects requested by the municipalities. In some cases, I acknowledge the fact that some of the projects they will now do were projects they would not otherwise have done. They would not have been able to go ahead with the projects. If the member says that is not a new project and that is not new job creation, he can put that particular spin on it if he likes, but to me the important fact is that these were projects that would not otherwise have been done, that now will be done and will create jobs all across this province.

**Mr Harris:** Let me try one more time. Clearly, the Treasurer and his Premier and their ministers are running around the province saying what a wonderful job they are doing creating all these jobs with their \$700-million recession package. Now we find out at least some of the jobs are not new jobs, not new projects; they are all existing projects. They are existing jobs that were there. I do not know whether it is all \$700 million that is being spent this way or whether it is just the Ministry of Transportation. I can understand why he went from \$0 deficit to \$600 million, and then \$2.5 billion and now \$3 billion, and now he says it is okay to go to \$5 billion, because he does not appear to



have any accounting mechanism for the money he is handing out, that it is being spent where he said it is being spent.

Does the Treasurer not realize, when he says, or his Premier says, "This money is creating new jobs," and his Minister of Transportation says, "'Oh, no, they can use the job creation fund to cut costs, not create new jobs,' NDP minister admits," that we have no way of verifying or knowing whether he is creating one new job with his \$700 million of money?

**Hon Mr Laughren:** I think the leader of the third party understands very well that the purpose of the anti-recession package was to create jobs at a time of recession. But surely, unless he is going to engage in Social Credit accounting, he must also acknowledge the fact that if a job were not having to be done before the package was announced, and now it is being done, that is the same thing as creating new jobs. I can tell the leader of the third party that the intention of the program was not to allow municipalities simply to put the money in—

**Mr Turnbull:** There is no way to control it.

**Hon Mr Laughren:** Yes, speaking of control, perhaps the member opposite could bring himself into that state. I can tell the leader of the third party that I would not be happy if that were being done. I trust, however, that the Minister of Transportation is well equipped to monitor the projects he has approved, so I have no doubt in my mind that the anti-recession package—by the way, the anti-recession package will accomplish what we set out to have it do, namely, to create jobs all across this province.

#### CROSS-BORDER SHOPPING

**Mr Daigeler:** My question is to the Minister of Colleges and Universities. Last week, he told the Toronto Star that he could do nothing to stop Durham College from running a seminar and the bus tours to teach our students the finer art of shopping in the United States. As unbelievable as that statement was, he went even further and he said that if he were an avid shopper, he might even take the course himself.

Does the minister still feel that this was an appropriate response to a crisis which is costing Ontario taxpayers about \$260 million a year, or has he had a talking-to by the Premier over the weekend?

**Hon Mr Allen:** Could I first put the issue in some perspective. As the member knows, the colleges have a certain incidental activity on the fringe of their main offerings which are leisure courses which are offered to the public on a cost-recovery basis. There is no public tax money that is involved in the expenditure on these courses.

What I said in response to the media was, of course, that if I were an avid shopper, which I am not, I might be tempted to take the course, and of course in the Port Hope and Oshawa area there are avid shoppers. They have been taking a bus for years from that region over to Buffalo to shop. So the college thought it might not be a bad idea to piggyback on that. I am not sure it was such a great idea, but I am not sure that it dealt the economy or the public a great deal of harm either.

**Mr Daigeler:** I find the response from the minister really utterly unbelievable. I do not know whether he checked with his own Premier and what reaction the Premier had last week. At least the Premier had the decency to say that the idea of courses to teach our students how to shop in the US is bizarre. I think at least he should get in touch with his own boss and figure out what the official line is. The minister has been, I am sure, called on the carpet so often that he is wearing out the carpet in the Premier's office.

Will the Minister not address the problem which is the real problem? Will he not phone today the president of Durham College to say he disagrees with sending our students to the US to learn how to shop, and will he not do something so that our students and our people in Ontario will support Ontario retailers and Ontario business?

**Hon Mr Allen:** Let us be quite clear, it is not our students who are enrolled in mass numbers at the colleges who are engaged in these things. I am not any happier than the member is with the idea that people are being encouraged to go and spend dollars across the border.

When I responded to the question last week, in the first instance I did not have the slightest idea what the content of the course was. Quite honestly, if I were teaching it, I would turn it into a course which would deal with the fundamental differences between the American and Canadian economies—what happens when you go over to a neighbouring city across the line—and turn it into an economics course. The course in question does not do that. I wish it did, but I am not going to lay a heavy hand on the college and tell it to stop teaching. They have got the sense and they have got the mechanism to do what they feel needs to be done about deciding what courses should be offered. The president will be taking all that into account when he makes up his mind about this course.

#### GARBAGE DISPOSAL

**Mrs Marland:** My question is to the Minister of the Environment and the minister of the greater Toronto area. Last Wednesday the region of Peel received an order in council which withdrew its planning authority under the Planning Act to plan for land surrounding the Britannia landfill site within 500 metres.

Since she has been minister she has withdrawn two sites, Durham and site B in Brampton, because they were to proceed under the Environmental Protection Act. I am wondering now today, with this action on the land surrounding the Britannia site, if this order in council means that she is now willing to proceed with an expansion of the Britannia landfill site without a full environmental assessment under the Environmental Assessment Act.

**Hon Mrs Grier:** The order that was issued last week means nothing more than my responsibility to keep all options open in the event that we do in fact have a shortfall between the completion of capacity at existing sites and the opening of a new site. With that in mind I asked the city of Mississauga not to allow development to proceed within the buffer zone around the Britannia dump.



1500

**Mrs Marland:** Of all the ministers in this House, we would have expected this minister not to backslide the way some of the others have with promises made by this government. It is a sad day indeed today for the environmental groups around this province that look to her for leadership. Quite frankly, if the minister realizes that the Britannia landfill site was originally approved under the Environmental Protection Act, she would not even be considering it an option. If she were still sitting in the opposition today, she would be fighting for full environmental assessment under the EAA. She would not accept the consideration of any expansion under the EPA. Here she has a site that she is considering as an option when she sat on this side of the House and fought against anything that was to be considered under the Environmental Protection Act.

I simply ask the minister, does she not stand for the same things that she stood for when she fought for those people who lived around Brock, Keele and Britannia, who simply asked for and had the right to full environmental assessment under the Environmental Assessment Act. Is she not doing that today?

**Hon Mrs Grier:** Twice today the member for Mississauga South has suggested that I am backsliding on my environmental principles. I want to say to that member that this government has proceeded in the most environmentally sound manner with respect to garbage disposal within the GTA than the previous government and in a more environmentally sound manner than the government that preceded the previous government. We are proceeding with a waste reduction plan that is second to none across this country. We are looking at the Environmental Assessment Act to make it effective.

Interjections.

**The Speaker:** I realize that it is Tuesday and that brings with it a certain atmosphere in the chamber. However, it really would be helpful if we could all give both the questioner and the responder an opportunity to place questions and to complete responses.

Interjection.

**Mr Speaker:** Actually, it is in the standing orders.

**Hon Mrs Grier:** I am sorry I am speaking perhaps strongly, because I know in my heart of hearts the member for Mississauga South is too committed an environmentalist to really believe some of the statements that she made earlier. Let me say to her in response that it would be irresponsible not to maintain open as many options as possible in the event that we find ourselves with a shortfall between the completion of the existing sites and the opening of a new one.

For that reason, last November I asked the municipalities to stop the final closure of all existing sites, and when I learned that the city of Mississauga was about to approve a plan of subdivisions right adjacent to the Britannia Road dump, this government moved to make sure that people could not be moved into houses with a garbage dump in their backyards in the event that it was necessary to continue the use of that site.

**Mr Speaker:** New question. The member for Victoria-Haliburton.

**Mr Drainville:** I would like to ask a question of the Minister of Culture and Communications.

**Mr Scott:** You got back faster than I did.

**Mr Mahoney:** He's on a day pass.

**Mr Scott:** Are you on a day pass or are you here permanently? You beat me back to the House, Dennis. I was on vacation too.

**Mr Drainville:** I realize that the member for St George-St David is at his wit's end, and it has not taken him long to get there.

#### ONTARIO FILM REVIEW

**Mr Drainville:** I would like to address my question to the Minister of Culture and Communications. Last week, he assured this House that there is a commitment on the part of the government to provide support to the Ontario film investment program. That is a laudable intention on the part of the government, and certainly we support it, but I would like to ask a question because there is a more significant problem here. We know, for instance, that in Ontario presently there are two major distributors that do not provide Canadian films for Ontarians to watch. I would like to ask the honourable minister in the House today, what is he or his ministry going to do to ensure that Ontarians have the opportunity to watch Canadian films in their local cinema?

**Hon Mr Marchese:** The member is perfectly correct in stating that Canadian films are rarely seen by filmgoers in Canada. In fact, in general Canadian features capture about 3% of the screen time and approximately 1% to 3% of the box office revenues. The announcement that I made last Thursday included two new initiatives that hopefully will begin to address this problem.

One initiative was the strategic industry plan, the intent of which is to develop a stronger film industry in Ontario in the next 5 to 10 years. In developing strategy to do so, the plan in addition would include addressing the whole issue of film exhibition.

The second initiative is the film exhibition pilot project, which will assist in the promotion and advertising of Canadian films. In fact, theatres in large and mid-size communities will receive funding to promote and advertise Canadian films. We hope to be able to extend this in the smaller communities after we have done the review.

#### HEALTH SERVICES

**Mr Phillips:** My question is to the Minister of Health and has to do with cross-border shopping in terms of drug and alcohol treatment centres in the United States. I raised this question in December in the House. I think in January, if I am not mistaken, the minister said that in the future people will not be spending our dollars and using services available in the US that create jobs there which could be creating jobs here. I think in February a person in London, Mike Wilson, who is the acting manager of the St Joe's detox centre, said, "There's not a week goes by that I'm



not contacted by someone from the US soliciting my services."

When will the minister bring forward her program to curtail this type of cross-border health shopping, which is being fuelled in Ontario by commission sales people, I think, to the tune perhaps of \$50 million flowing annually to US treatment centres that could be better spent here?

**Hon Mrs Gigantes:** The member is correct that this is a serious problem and it is a problem that really needs to be addressed on two fronts. It is not only a question of preventing people from going south of the border to get treatment. They do not do that only because they are being hustled, though a lot of people are being hustled, it is true. It is also a question of building up our services here.

I will be bringing forward, in the next very short period of time, policy to cabinet which I hope to bring forward to the House within the next several weeks. I hope that we will begin to tackle the problem, but it is a larger problem than simply stopping the attractive sales pitches that are going on here on behalf of American institutions; it is also a question of identifying precisely what services we need and building them here in Ontario.

1510

**Mr Phillips:** I used to kind of accept those answers. I remember my very first question to the minister was on northern health care. This was in November, and I remember her saying, "I would like to let him know that I will be addressing each of those concerns in an itemized way over the next few weeks" I went back to my office and I said, "I'm making things happen." Every day I checked my mail and nothing came in my mail about northern health care. So I am learning. I am learning, as I said in my remarks on the minister's statement, that Dr Do-Little is beginning to actually sink in on me too in terms of the action of the ministry.

I wonder if the minister could be a little more helpful to me, so I do not have to check my mail every day, on when this action will be coming forward in the next few weeks. I am learning that no one believes me when I say she is coming forward in the next few weeks. Could she be a little more helpful to me, because I do think it is important? I think literally millions of dollars are going down there.

It is not just on drug and alcohol treatment. I think the minister will find now head injury. Today I heard of a case—it was in the paper, I think—of an asthma victim who is leaving the province for treatment. It seems to be reaching quite significant proportions. Can the minister give me a little more help just in terms of timing, so I can sleep better at night?

**Hon Mrs Gigantes:** I tell the member that sometimes I share his feeling. It does take a long time to get things done, even with the best of intent. Certainly he will be aware that the previous Minister of Health was aware of the problems that we face in terms of head injury services—and again there are serious gaps in that service in Ontario—and in terms of treatment facilities and treatment programs for substance abuse. These problems are not problems that started last October; these problems are

problems which have existed over a period of many years and which have not been addressed in a staged way before and which this government is determined to address in a staged way.

I am not content as Minister of Health to say to this Legislature that I am going to insist that we spend this and that kind of money immediately building up the programs that are going to solve the problem in terms of providing the services we need here. I want to know that those services are going to be effective services, as good as we can make them. We are going to build them for the 1990s so that they will last us through the 1990 period and, hopefully, we will not be facing this 10 years down the road.

#### GARBAGE DISPOSAL

**Mr Harris:** My question is for the Minister of the Environment. Today in her statement, on page 2, she states that the impact on a remote community of receiving refuse from the GTA is "unthinkable." In view of the fact that it is not unthinkable to the people of Kirkland Lake, it is not unthinkable to the CNR, it is not unthinkable to the Ontario Northland Railway, it is not unthinkable to those who would like the recycling jobs in that part of northern Ontario, other than her northern Ontario caucus colleagues who have this perceptual problem that they, without analysing it, said they were opposed to this in principle, can the minister give me one environmental reason why it is unthinkable?

**Hon Mrs Grier:** I think the primary environmental reason is that it is more responsible to look after one's waste products as close as possible to the source of the generation of those products. To move waste hundreds of miles across the province, to move secondary resources hundreds of miles across the province to be recycled, and then to be brought back, if that is not absolutely essential, is not in the best interests of the environment. It was for those reasons that I made my decision.

**Mr Harris:** I understand why, now that there are big jobs in recycling and in handling the environment, those in southern Ontario have changed their views and they are not at all interested in northern Ontario receiving any of those benefits.

I would ask the minister this; I have not heard any particular environmental reasons from her. Can she explain to us why she would not allow it to go through to an environmental assessment, to determine if in fact this proposal that was put forward, in good faith, as they were asked to do by the community of Kirkland Lake and those involved—why she would not, instead of making some subjective judgement that it is "unthinkable" to her, allow this project to proceed through an environmental assessment to see if it is unthinkable environmentally? I do not know, but if it went through that, perhaps this proposal may be the most environmentally sensitive proposal of all. Why would she refuse to allow that proposal to go through with the environmental assessment process?

**Hon Mrs Grier:** Because, as I said in my initial answer, I think the best environmental principle is that waste ought to be dealt with as close as possible to the source of generation. If you follow that principle, it therefore follows



that the impetus to get serious about reduction and re-use is much stronger and much more likely to be effective than if you can ship the waste many hundreds of miles away to have it out of sight and out of mind.

#### SEASONAL CAMPING TRAILERS

**Mr Waters:** I have a question I would like to address to the Minister of Revenue. Last July and August there was a major concern raised over the subject of taxation on seasonal camping trailers. As the 1991 season will soon be upon us, my question to the minister is, who will be affected by the proposed changes to the Assessment Act regarding seasonal trailers?

**Hon Ms Wark-Martyn:** There are not any changes proposed to the Assessment Act regarding the assessment of seasonal trailers.

As the member is aware, and as was particularly evident immediately prior to the election of our government, there has been a long-standing controversy surrounding the assessment and taxation of seasonal trailers located in private campgrounds. The previous government attempted to resolve this controversy by attaining a workable solution which would be agreeable to campers, campground owners and municipalities. This proposal involved amending the Municipal Act to permit municipalities to impose a permit fee on seasonal trailers located in campgrounds for more than 90 days. However, under the previous government an agreement could not be reached and consequently no new policy with respect to the taxation of seasonal trailers was implemented.

**Mr Waters:** By way of supplementary to the minister, will the property assessment program continue to assess seasonal trailers?

**Hon Ms Wark-Martyn:** In the past, assessments had been passed on certain seasonal trailers. The Supreme Court of Ontario has upheld these assessments and ruled that trailers that are permanently attached to land are liable for assessment and taxation. This ministry will not make any change to the assessment of trailers located in private campgrounds.

In addition, my colleagues the Minister of Municipal Affairs and the Minister of Tourism and Recreation and I will not proceed to introduce any new policy with respect to trailers without having full discussions with all affected parties, including campground owners and municipalities.

#### TRANSIT SERVICES

**Mr Mancini:** I address my question to the Premier, and I wish to thank the Premier for staying so late into question period.

**Mr Elston:** I think we should have a 90-minute question period.

Interjections.

**Mr Mancini:** Well, he may not have wished he stayed after we finish.

In November of last year, the Premier broke his party's election promise of funding Go rail extensions to Peterborough. In response to this broken promise, the people of the Peterborough region held a meeting on 12 December last.

They invited the Minister of Transportation, but he said no. They asked the minister to send a staff person from his office; the answer was no. They invited the seven socialist MPPs who represent the region, and they all said no. They asked the minister to send a civil servant to take notes of the meeting; the answer was no.

The people at the meeting and the people who make up the Toronto-Peterborough-Havelock Line Passenger Association were angered to find out that in fact someone from the Ontario government did attend the meeting. It was referred to in today's Toronto Star report as, "Transport Ministry Sent 'Spy' to Meeting, Documents Reveal."

When the Premier was a member of the opposition and the leader of the opposition, he spoke on a regular basis about integrity in government and standards in government. The people in the Peterborough region have reason to expect a certain standard and a certain level of integrity from our ministers and from employees of the government. Does the Premier believe that while on one hand receiving a no from everyone invited to the meeting, it was fair or appropriate for the ministry to send an employee of the ministry in a covert fashion to make reports on the meeting and filter these reports on up to the minister?

1520

**Mr White:** On a point of privilege, Mr Speaker: The member referred to the members in that local area. You will remember that on 12 December we were sitting until midnight and the other members, like myself, were here, unlike the member for Essex South.

**The Speaker:** It is not a point of privilege. I do appreciate the member expressing some concern.

**Hon Mr Rae:** I had a feeling that the member was going to ask that question, which is why, of course, I would not have dared miss it, and the minister is not here today.

I want to say first of all I would not want the member to leave the impression that there were no meetings between the minister and his staff and the group in question. There was a meeting on 9 November, as I am sure the member will know, and the member is quite right when he says that the government decided that it would make far more economic sense at this stage to proceed with a bus route rather than simply with an extension of the rail line.

Having said that, I was troubled by the news report which I read today with respect to the fact that a member of the ministry, a public servant, attended the meeting and did not let people know that he was there, that is why he was there and that is who he is. I can tell the member I expect members of the government, I expect members of the civil service, who are there representing the government, when they are attending public meetings, to let people know they are there, to tell them who they are and simply leave it at that. That is what I expect.

**Mr Mancini:** I want to thank the Premier for the answer, and I am sure that the people of the region are going to in fact feel that maybe in the future their concerns will be listened to.

At the meeting, the person who was sent by the ministry wrote a four-page report that was funnelled up to the minister,



I assume, and these are some of the comments that were taken as notes, and these are verbatim.

It says, "On the blackboard was the following quote from Bob Rae, 'I am pleased to make a commitment to extend GO Transit service to Peterborough and Brantford.'"

Another quote from the four-page memo states: "Jenny Carter was supportive of GO rail service to the area until she became a minister. Now she doesn't need the service because she is driven to work in a limo each day. Why is Brantford being served and not Peterborough?"

Also another quote, "If the area does not get train service, it will remember, just as it will remember what Mulroney has done."

In a letter sent to the Premier within the last day or two, the association puts this very important point to him, "Simply put, we as commuters cannot withstand, on a continuous daily basis, the frustrations, inconvenience, discomfort and loss of productive time which arise from multiple modal transfers and lengthy highway travel."

These people have made an economic case. They have made a social case. They are relying on the Premier to keep his promise. Can they count on him to keep the promise that he made last summer?

**Hon Mr Rae:** I think the minister has already made it very clear that for the time being, given the cost—I want to go over with the member some of what the estimates by the government of the costs are.

The capital costs of the construction to Peterborough are somewhere between \$10 million and \$12 million. The annual operating costs would be \$3.5 million. The revenue would be about \$600,000, which would mean that the annual loss every year would be close to \$3 million.

I would say to the member that, given that information, I do not make any apologies for the fact that we felt it would be far more responsible for us, until we can find a lower-cost rail alternative, to proceed with a bus alternative, that we would try to make the bus alternative as efficient and fair as possible, and that if it turns out that there is a change in the economic circumstances, then obviously we can go the train route.

I would ask the member whether he would think it wise, given the circumstances that are there, to run something on it that would operate at a loss of \$3 million a year. On balance, we decided that that made less sense than for us to proceed with the bus alternative for the time being, and that is the decision of the government and that is the way it is.

## PETITIONS

### SEWAGE TREATMENT

**Mrs Mathysen:** I have a petition signed by 333 residents of South Winds Village in the town of Westminster, riding of Middlesex.

These 333 constituents respectfully petition the Parliament of Ontario to provide 100% funding for the sewage treatment plant now needed to correct the problem of malfunctioning septic systems and related health hazards in this four-year-old subdivision developed by South Winds Sand and Gravel Ltd.

They also request that the Parliament of Ontario pursue all necessary and appropriate avenues to secure contribution from all those who properly share financially responsibility for the sewage and septic problems in South Winds.

I have signed my name to this petition.

### MYALGIC ENCEPHALOMYELITIS

**Mr Christopherson:** I am pleased to rise in my place today and present a petition of behalf of individuals with myalgic encephalomyelitis, also known as chronic fatigue syndrome. These Ontarians are requesting funding for testing, assessment and treatment for patients with ME. The petition is signed by almost 1,700 individuals, and I would also like to acknowledge the presence today in the gallery of representatives from the ME association of Halton-Wentworth. I have also affixed my name to this petition.

**Hon Mrs Coppen:** Mr Speaker, I am asking consent to revert back to motions.

**The Speaker:** Do we have unanimous consent to revert to motions?

Agreed to.

## MOTION

### PRIVATE MEMBERS' PUBLIC BUSINESS

Mrs Coppen moved that, notwithstanding any standing order or previous order of the House, the following changes be made to the order of precedence for private members' public business:

"(a) ballot item 7, Mr Mills; ballot item 11, Mr Chiarelli; ballot item 14, Mrs Sullivan; ballot item 20, Mrs Fawcett; ballot item 41, Mr H. O'Neil; ballot item 64, Mr Phillips; ballot item 80, Mr Conway; ballot item 98, Mr Lessard;

"(b) Mr Charlton and Ms Churley be deleted from the order of precedence for private members' public business and all members of the New Democratic Party caucus listed thereafter be advanced by one place in their turn;

"(c) the requirement for notice be waived with respect to ballot items 7 and 8;

"and that, notwithstanding any standing order or practice of the House, in the time allotted for consideration of ballot item 9, motions for second reading of two bills may be made and the bills debated together."

Motion agreed to.

1530

## INTRODUCTION OF BILLS

### REGULATED HEALTH PROFESSIONS ACT, 1991

#### LOI DE 1991 SUR LES PROFESSIONS DE LA SANTÉ RÉGLEMENTÉES

Mrs Gigantes moved first reading of Bill 43, An Act respecting the regulation of Health Professions and other matters concerning Health Professions.

Mme Gigantes propose la première lecture du projet de loi 43, Loi concernant la réglementation des professions de la santé et d'autres questions relatives aux professions de la santé.

Motion agreed to.

La motion est adoptée.



AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY  
ACT, 1991

LOI DE 1991 SUR LES AUDIOLOGUES ET LES  
ORTHOPHONISTES

Mrs Gigantes moved first reading of Bill 44, An Act respecting the regulation of the Professions of Audiology and Speech-Language Pathology.

Mme Gigantes propose la première lecture du projet de loi 44, Loi concernant la réglementation des professions d'audiologue et d'orthophoniste.

Motion agreed to.

La motion est adoptée.

CHIROPODY ACT, 1991

LOI DE 1991 SUR LES PODOLOGUES

Mrs Gigantes moved first reading of Bill 45, An Act respecting the regulation of the Profession of Chiropody.

Mme Gigantes propose la première lecture du projet de loi 45, Loi concernant la réglementation de la profession de podologue.

Motion agreed to.

La motion est adoptée.

CHIROPRACTIC ACT, 1991

LOI DE 1991 SUR LES CHIROPRACTICIENS

Mrs Gigantes moved first reading of Bill 46, An Act respecting the regulation of the Profession of Chiropractic.

Mme Gigantes propose la première lecture du projet de loi 46, Loi concernant la réglementation de la profession de chiropraticien.

Motion agreed to.

La motion est adoptée.

DENTAL HYGIENE ACT, 1991

LOI DE 1991

SUR LES HYGIÉNISTES DENTAIRES

Mrs Gigantes moved first reading of Bill 47, An Act respecting the regulation of the Profession of Dental Hygiene.

Mme Gigantes propose la première lecture du projet de loi 47, Loi concernant la réglementation de la profession d'hygiéniste dentaire.

Motion agreed to.

La motion est adoptée.

DENTAL TECHNOLOGY ACT, 1991

LOI DE 1991

SUR LES TECHNICIENS DENTAIRES

Mrs Gigantes moved first reading of Bill 48, An Act respecting the regulation of the Profession of Dental Technology.

Mme Gigantes propose la première lecture du projet de loi 48, Loi concernant la réglementation de la profession de technicien dentaire.

Motion agreed to.

La motion est adoptée.

DENTISTRY ACT, 1991

LOI DE 1991 SUR LES DENTISTES

Mrs Gigantes moved first reading of Bill 49, An Act respecting the regulation of the Profession of Dentistry.

Mme Gigantes propose la première lecture du projet de loi 49, Loi concernant la réglementation de la profession de dentiste.

Motion agreed to.

La motion est adoptée.

DENTURISM ACT, 1991

LOI DE 1991 SUR LES DENTUROLOGUES

Mrs Gigantes moved first reading of Bill 50, An Act respecting the regulation of the Profession of Denturism.

Mme Gigantes propose la première lecture du projet de loi 50, Loi concernant la réglementation de la profession de denturologue.

Motion agreed to.

La motion est adoptée.

DIETETICS ACT, 1991

LOI DE 1991 SUR LES DIÉTÉTISTES

Mrs Gigantes moved first reading of Bill 51, An Act respecting the regulation of the Profession of Dietetics.

Mme Gigantes propose la première lecture du projet de loi 51, Loi concernant la réglementation de la profession de diététiste.

Motion agreed to.

La motion est adoptée.

1540

MASSAGE THERAPY ACT, 1991

LOI DE 1991 SUR LES MASSOTHÉRAPEUTES

Mrs Gigantes moved first reading of Bill 52, An Act respecting the regulation of the Profession of Massage Therapy.

Mme Gigantes propose la première lecture du projet de loi 52, Loi concernant la réglementation de la profession de massothérapeute.

Motion agreed to.

La motion est adoptée.

MEDICAL LABORATORY TECHNOLOGY ACT, 1991

LOI DE 1991 SUR LES TECHNICIENS DE  
LABORATOIRE MÉDICAL

Mrs Gigantes moved first reading of Bill 53, An Act respecting the regulation of the Profession of Medical Laboratory Technology.

Mme Gigantes propose la première lecture du projet de loi 53, Loi concernant la réglementation de la profession de technicien de laboratoire médical.

Motion agreed to.

La motion est adoptée.



## MEDICAL RADIATION TECHNOLOGY ACT, 1991

LOI DE 1991 SUR LES TECHNICIENS  
EN RADIATION MÉDICALE

Mrs Gigantes moved first reading of Bill 54, An Act respecting the regulation of the Profession of Medical Radiation Technology.

Mme Gigantes propose la première lecture du projet de loi 54, Loi concernant la réglementation de la profession de technicien en radiation médicale.

Motion agreed to.

La motion est adoptée.

## MEDICINE ACT, 1991

## LOI DE 1991 SUR LES MÉDECINS

Mrs Gigantes moved first reading of Bill 55, An Act respecting the regulation of the Profession of Medicine.

Mme Gigantes propose la première lecture du projet de loi 55, Loi concernant la réglementation de la profession de médecin.

Motion agreed to.

La motion est adoptée.

## MIDWIFERY ACT, 1991

## LOI DE 1991 SUR LES SAGES-FEMMES

Mrs Gigantes moved first reading of Bill 56, An Act respecting the regulation of the Profession of Midwifery.

Mme Gigantes propose la première lecture du projet de loi 56, Loi concernant la réglementation de la profession de sage-femme.

Motion agreed to.

La motion est adoptée.

## NURSING ACT, 1991

LOI DE 1991  
SUR LES INFIRMIÈRES ET INFIRMIERS

Mrs Gigantes moved first reading of Bill 57, An Act respecting the regulation of the Profession of Nursing.

Mme Gigantes propose la première lecture du projet de loi 57, Loi concernant la réglementation de la profession d'infirmière ou d'infirmier.

Motion agreed to.

La motion est adoptée.

## OCCUPATIONAL THERAPY ACT, 1991

## LOI DE 1991 SUR LES ERGOTHÉRAPEUTES

Mrs Gigantes moved first reading of Bill 58, An Act respecting the regulation of the Profession of Occupational Therapy.

Mme Gigantes propose la première lecture du projet de loi 58, Loi concernant la réglementation de la profession d'ergothérapeute.

Motion agreed to.

La motion est adoptée.

## OPTICIANRY ACT, 1991

## LOI DE 1991 SUR LES OPTICIENS

Mrs Gigantes moved first reading of Bill 59, An Act respecting the regulation of the Profession of Opticianry.

Mme Gigantes propose la première lecture du projet de loi 59, Loi concernant la réglementation de la profession d'opticien.

Motion agreed to.

La motion est adoptée.

## OPTOMETRY ACT, 1991

## LOI DE 1991 SUR LES OPTOMÉTRISTES

Mrs Gigantes moved first reading of Bill 60, An Act respecting the regulation of the Profession of Optometry.

Mme Gigantes propose la première lecture du projet de loi 60, Loi concernant la réglementation de la profession d'optométriste.

Motion agreed to.

La motion est adoptée.

## PHARMACY ACT, 1991

## LOI DE 1991 SUR LES PHARMACIENS

Mrs Gigantes moved first reading of Bill 61, An Act respecting the regulation of the Profession of Pharmacy.

Mme Gigantes propose la première lecture du projet de loi 61, Loi concernant la réglementation de la profession de pharmacien.

Motion agreed to.

La motion est adoptée.

1550

## PHYSIOTHERAPY ACT, 1991

## LOI DE 1991 SUR LES PHYSIOTHÉRAPEUTES

Mrs Gigantes moved first reading of Bill 62, An Act respecting the regulation of the Profession of Physiotherapy.

Mme Gigantes propose la première lecture du projet de loi 62, Loi concernant la réglementation de la profession de physiothérapeute.

Motion agreed to.

La motion est adoptée.

## PSYCHOLOGY ACT, 1991

## LOI DE 1991 SUR LES PSYCHOLOGUES

Mrs Gigantes moved first reading of Bill 63, An Act respecting the regulation of the Profession of Psychology.

Mme Gigantes propose la première lecture du projet de loi 63, Loi concernant la réglementation de la profession de psychologue.

Motion agreed to.

La motion est adoptée.

## RESPIRATORY THERAPY ACT, 1991

## LOI DE 1991 SUR LES INHALOTHÉRAPEUTES

Mrs Gigantes moved first reading of Bill 64, An Act respecting the regulation of the Profession of Respiratory Therapy.



Mme Gigantes propose la première lecture du projet de loi 64, Loi concernant la réglementation de la profession d'inhalothérapeute.

Motion agreed to.

La motion est adoptée.

### ORDERS OF THE DAY

House in committee of the whole.

#### RESIDENTIAL RENT REGULATION AMENDMENT ACT, 1991

Consideration of Bill 4, An Act to amend the Residential Rent Regulation Act, 1986.

**Hon Mr Cooke:** Mr Chair, perhaps I might ask the permission of the committee for staff from the ministry to be on the floor with us.

**The Chair:** Certainly.

**Hon Mr Cooke:** Could I also ask the unanimous consent of the House leaders from the two opposition parties to indicate to the House that any votes will be stacked on Thursday at 5:45.

**The Chair:** Is there unanimous consent?

Agreed to.

**The Chair:** Are there any questions, comments or amendments, and if so, to which sections of the bill?

**Ms Poole:** Our caucus does have a number of amendments which we would like to place forward. I wondered if it might be appropriate before then if the minister gave some general comments to the purpose of the bill and some of the background information. I notice quite a few members in the House today who were not privileged to be sitting on the standing committee on general government when we went through clause-by-clause, and I think it would be quite appropriate.

**Hon Mr Cooke:** I appreciate the invitation from the opposition critic, but she will understand, as does the critic for the third party, that we had an extensive debate at second reading, we have had discussion in question period, we have had several weeks of public hearings, we have had clause-by-clause and we have had consultations across the province. So I am prepared to get on with clause-by-clause and finish this bill because it is essential that this bill get into place very quickly. Tenants are wondering when this protection is going to be put in place.

**The Chair:** Would you please list your amendments.

**Ms Poole:** Since the minister does not wish to make opening comments, I will proceed.

We propose to have amendments to section 8 of the bill, subsections 100b(1) and (2) of the act; section 8 of the bill, clause 100e(2)(f) of the act; section 8 of the bill, clause 100e(2)(g) of the act; section 8 of the bill, clause 100e(2)(h) of the act; section 8 of the bill, subsections 100e(8a), (8b) and (8c) of the act; section 8 of the bill, section 100ga of the act; section 8 of the bill, section 100n of the act; section 8 of the bill, section 100ta of the act; and finally, and lastly but not least, section 8 of the bill, section 100tb of the act. We have filed five copies of those amendments with the table.

**The Chair:** Are there any other amendments to the section of the act?

**Mr Tilson:** Yes, Mr Chair, the Progressive Conservative Party does wish to make a number of amendments in due course. I can list off some amendments that will be proposed.

The first one will be to subsection 1(2) of the bill; section 8 of the bill, which deals with section 100b of the act; section 8 of the bill, which deals with subsection 100e(1) of the act; again, section 8 of the bill, which deals with clauses 100e(2)(f) and (g) of the act; also on section 8 of the bill, clauses 100e(2)(h) of the act; section 100ia of the act and section 100n of the act. I have copies that I can table with the Clerk.

**The Chair:** In the future, whenever you bring in amendments, if there is a possibility, perhaps you would print five to eight copies.

**Mr Tilson:** I am arranging for that now.

**The Chair:** No, it is fine now, but just in the future.

**Mr Tilson:** Thank you.

**The Chair:** On section 1, you have some amendments, the member for Dufferin-Peel?

**Mr Tilson:** Yes, I do.

**The Chair:** Mr Tilson moves that subsection 1(2) of the bill be struck out. Do you have any comments?

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**Mr Tilson:** We have heard indications from the Minister of Housing that there is an interministerial committee dealing with the subject of mobile homes. In other words, there has been an acknowledgement—I will interpret that as an acknowledgement—that the subject of mobile homes is not a subject of this bill, and yet it continues to be there. I have yet to receive any indication from the government as to what that interministerial committee is doing.

During the hearings that went around the province, specifically in Windsor, we had a number of delegations speaking to the committee, which indicated to us that this was indeed a most inappropriate subject for this bill. I specifically refer to the mobile home being quite different from the residential apartment or the typical residential unit throughout the province, in that with the mobile home normally there is an individual or a corporation which owns the overall sites of the mobile homes and the individuals or the tenants who rent those individual sites own their homes.

The difficulty with those situations is that if there are breakdowns in communications between the tenants and the landlords, they really have a limited number of places to go, a limited number of sites where to move their homes, also at great cost. It does create a considerable amount of difficulty for the tenants with that type of subject.

We were advised that, with the mobile home owner, in other words the owner of the site, there were situations where the Ministry of the Environment would require changes in the water system and the sewage system and the overall site would have to be changed to meet the growing standards and the growing regulations of the provincial government and that would be at great cost to



them. I am thinking specifically of a sewage system or a water system which normally is carried out by a municipality. In these particular situations, they have to be carried out by the individual owners of the mobile sites at a cost that individually they cannot afford.

Quite naturally the tenants feel it is great that they do not have to pay the increased rent because of the interim legislation, Bill 4, the two statutory requirements, and if capital expenditures are to be made by an owner, he will have to absorb them. He or she would have to absorb those costs and they could not be passed on to the tenant, astronomical costs for replacing systems such as that. Tenants spoke to me certainly, as did owners. Their fear was that because of the requirements of the Ministry of the Environment, their homes could be shut down and they would literally have no place to go because of the inadequate water or sewage requirements.

We had several delegations and I would like just to refer to a couple of them to illustrate the problem that occurred in this area.

The first one I would like to refer to is a firm called Meneset Mobile Park Inc, which is from Goderich. They made their submissions to us on 24 January. I would like members of the committee who have not had an opportunity to review this to review some of the thoughts by this firm:

"My wife and I are the owners-managers of Meneset Mobile Home Inc, a land-lease community. Our feelings are that we are not and should not be under rent controls.

"In 1968 I started the park. I was teaching in high school and my wife was an RN. Evenings and weekends I worked laying sewer, water and hydro lines. My teaching salary, as well as any park income, was all put back into the park development as, unlike the government, we were against the plan being proposed by the government."

They go on to refer to what is required in their municipality. They say:

"We are a small town. Towns collect taxes without government interference. They obtain grants for road and utility work and have money put aside for future projects. They can also raise taxes to cover GST. I am supposed to pay increases in fuel up to 15%, heat 20%, wages 6%, OHIP 200%, workmen's compensation, Canada pension, insurance, taxes, general repairs, building repairs, landscaping, road and ground maintenance, vehicle maintenance, all of which have increased more than 4.6%. A 4.6% increase in my \$150 rent per month gives me a \$7 increase per tenant per month."

In other words, this firm was comparing its park to a municipality that has the financial resources to complete these projects, to do these types of projects, and I think this clearly should not be the subject of rent review. In other words, these people are perfectly correct. It should not be the subject of rent review, yet it persists to be in this bill.

The minister has said there is an interministerial report being prepared. I am asking the parliamentary assistant to tell the committee exactly what the status of that report is, what the status of that committee is.

I would like to refer to another firm from Clinton, Morgan's Mobile Homes. This also was received by the committee on 24 January last, and they make similar com-

ments as to why it is inadequate legislation for Bill 4. They speak of how they have a land-lease community. It is operated as a private business.

"We own the land and lease the serviced lot to the tenants for their home. It is hooked up to hydro, water and sewers. It is totally our cost to install these services and to maintain them. The same applies to all roads."

This is another example; if roads need to be maintained or capital expenditures need to be made on these roads, if it was a municipality, the municipality would have the financial resources to complete those roads. These types of businesses clearly do not have the great resources of the municipalities.

"The tenant pays a monthly fee of \$95 to us for this land lease, and for that they have a nice lot to put their home on it, and it includes their water and sewer paid for, garbage picked up and streets maintained. It is called a mobile or modular home park and is identical to a small village or town. We as park owners need some expensive equipment to develop and maintain these parks."

Obviously, again comparing to municipalities, the municipalities have this equipment. Mobile home parks do not, and either have to purchase the equipment themselves or contract it out, all at major capital expenditures which they clearly do not have the resources for and which clearly have not been contemplated by this bill, albeit an interim bill. Certainly these people are concerned about the ongoing problem of maintenance in their parks and the fact that the government is not properly addressing it and is simply saying in Bill 4 that it is subject to rent review.

They go on to say: "If we have a heavy winter, we spend most of the time plowing snow, of which there is no return for our work or cost of maintenance on machinery. Should someone's sewer or water cause a problem in the middle of the night, there is no public utilities commission who will look after it. It is up to the park owner. We find we as owners and landlords are doing a lot of hours of work for very, very little pay.

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"We are in the process of having our park appraised, and the consensus is if we were to sell our park to our son, which he would like to buy as that is the only business he knows, the land rent of \$95 a month would not allow him to buy it. It is not a viable business and guidelines of 5.2% will not make it a viable business either. We are going to have to get our land rent up to \$150-\$175 a month to cover expenses and make it a viable business. This will be now prohibited by Bill 4. Many people in our park are retired, drive new cars etc, and have money invested at 10% plus. Our park alone does not give us a living. It is subsidized by sales of homes out of the park.

"The governments say they need more affordable housing. Our manufacturers and ourselves can supply this type of housing but we are not going to do this if we cannot get a reasonable return on our money invested. That is the general intent of the proposed amendment. We simply feel that it is not the proper subject of rent review. If the government is contemplating other legislation, let's do it now rather than creating the difficult problems with the mobile home owners, both landlords and tenants."



I would like a question, my question that I have asked the parliamentary assistant on that subject, as to the status of the interministerial committee.

**The Chair:** Are you representing the minister? You could take the front seat if you so wish.

**Ms Harrington:** May I speak in his chair?

**The Chair:** Sure.

**Ms Harrington:** I certainly appreciate the concerns of the member with regard to the provision of a municipal type of services in mobile home parks. We all know this is certainly a great expense. On his question with regard to the interministerial committee, I understand the Ministry of Municipal Affairs, the Ministry of the Attorney General, the Ministry of the Environment and the Ministry of Revenue are all involved and they have met with various mobile home park operators. I do not know all the details, but I believe the report will be back to us very soon.

Mobile home parks have always been under the existing legislation. I submit that it is not within the scope of this amendment to evaluate which types of dwellings are covered, whether homes for the aged or other types of retirement homes should be under rent control. What I would like to tell the member is that this matter of which types of accommodation are covered under rent control is dealt with in the green paper, the consultation paper. It is the first item of discussion in there. We have had consultation with various people across the province on the green paper already with regard to that issue.

The last thing I want to tell the member is that we are looking at the big question of mobile home parks but that is not part of this legislation.

**Mr Tilson:** I do not really believe the question has been answered. There has been an acknowledgement by the minister in our committee that this is under the subject of ministerial review. I appreciate the comments that the ministry is consulting, that it may be the subject of the green paper, however the subject before us now is Bill 4. What is relevant is Bill 4.

If we acknowledge that it is not the subject of this legislation or if it is in fact causing great problems with the mobile home owners and the tenants, my question therefore is, if we are going to be dealing with it at a later time in other legislation—that may not necessarily be housing legislation, it may be other types of legislation—or if we are going to be dealing with it in the permanent legislation, why are we having it now?

What is so important, particularly when you have heard very concrete evidence of the grave problems that are being caused by this section? Again I emphasize you must acknowledge that you have a tenant. Say that home cannot legally be there because of an unsafe water system or an unsafe sewage system, for example. "Because of that we are going to close you down." That is being caused by Bill 4 because there are no funds to make those repairs. There are no funds to make those changes perhaps with the requirements of the Ministry of the Environment. I take that as an example. There could be other ministries which could affect that.

Therefore, having heard that testimony, unrefuted testimony, by both landlords and tenants, why is the minister persisting in having this section in this bill?

**Ms Harrington:** The simple answer is that this section was already in the RRRA and that is why it is in here. We want to change the long-term legislation but Bill 4, to stop the increases in rent, stands because it applies directly to what was originally in the RRRA.

**Mr Tilson:** I am afraid that will not do, to say that it is in the existing legislation. I simply find that unacceptable. This government has given the view—and on housing it certainly did within the first month that it sat; not necessarily the first month that it was in power, but the first month that this House sat. This is one of its first major pieces of legislation. To simply say, "Because the previous government did it we're going to do it in the interim legislation," is unacceptable.

I appreciate the comments that they are going to be dealing with the subject as time goes on, perhaps in other government legislation—maybe it will be the Minister of Revenue; I do not know who it will be—or with respect to the green paper legislation, the more permanent legislation. But having heard the testimony, the unrefuted testimony from both landlords and tenants, I am afraid that answer, "Because the Liberals did it, we're going to do it" is not good enough. In other words, I am looking for the rationale as to why the government is having it in this interim legislation knowing specifically the problems that it is causing and knowing specifically that it is going to be dealt with in the more permanent legislation.

**Ms Poole:** I would like to support the concern that my Conservative colleague has raised about the provision for mobile homes being in this particular section of the act and indeed being in this act at all. It was quite obvious from the testimony which we heard in various centres in the province, particularly in Windsor, that from both sides—from the side of the tenants in the mobile homes who rent the land but have their own mobile home, and also from the perspective of the mobile home site owner—it is an extremely complex issue. It certainly went far beyond what I ever believed it to be as far as complexity of an issue is concerned.

We heard on the one side from tenants who rented the land in these sites that there are many issues that were simply not addressed by Bill 4, that it went far beyond this. It became clear when they spoke that we needed a specific piece of legislation which dealt with the unique problems that were encountered in the mobile home area. By the same token, when some of the site owners came forward they gave us also very unusual examples which had never come to our minds of the problem in incorporating them into this legislation.

For instance, one of the mobile park site owners came and he said, "One of the biggest problems we have is taxes." We said: "Well, why is it a big problem with municipal taxes? You pay it on the site and the mobile home owners pay it on their particular units." He said, "That's not the way it works." The municipality bills the mobile park site owner for everything, including the assessment



on the homes themselves. If in the meantime that particular mobile home owner takes his or her unit and moves, then the poor site owner is the one who is stuck with that bill because that is who the municipality levies. Then, of course, that would go as a lien on the site if that remains unpaid.

It became increasingly clear to all of us that it is an extremely complex matter. There was even a fairly substantive court case last September which dealt strictly with whether mobile home units should be included in rent control and rent review legislation.

So I support my Conservative colleague when he says that it is inappropriate to have it in this piece of legislation, particularly because the interministerial committee will be reporting soon and may well be making recommendations which make it entirely inappropriate for it to be in this legislation. Those are my comments and our caucus will be supporting the Conservative critic in this amendment.

1620

**Mr Sterling:** I want to support my colleague as well on this, and I want to ask questions of the parliamentary assistant. First, let me say it is normal on a bill which has this impact that the minister grace this House with his presence. While I accept the capabilities of the parliamentary assistant, I do not accept that the minister is not here today to listen to arguments put forward by members of the opposition to change this legislation in a meaningful way. Our rules do provide that a parliamentary assistant can be here to take the place of the minister but the problem is—and we all know it, those of us who have had even six months of parliamentary experience—that the opportunity for the parliamentary assistant to accept an amendment is almost nil in terms of her ability to accept an argument that is put forward on our side of the Legislature and say, “That’s reasonable, that’s logical, and therefore we should accept it.”

Therefore, what we are going through today is, in some ways, a farce. But I will tell members this: We are going to carry this farce on longer and longer until the minister returns to his place here in the House and listens to the arguments that are put forward by the opposition so that we will have a real hearing of these amendments.

I want to speak specifically to the amendment which has been put forward by my colleague with regard to mobile home parks. He has cited two cases, one case in Clinton, Ontario and another case in Goderich. I want to tell members I have another case in my own particular riding, where the owner of this mobile home park is faced with the same situation. We in this Legislature, I believe on all sides, want to provide reasonable-cost housing to the people of Ontario. Quite frankly, a mobile home in my riding provides perhaps more of the reasonable-cost housing to the lower end of the spectrum.

The cost of living in a mobile home is normally lower than it is to live in a single-family home or in a town house in my riding. Therefore, I believe that the continuation of the providing of this kind of living in my riding is essential, particularly to people who are retired, who are living on fixed incomes, who like the idea of having some indication

of ownership and yet cannot afford to either buy a condominium, a town house, an apartment or a single-family home. Therefore, by closing down mobile home parks, which is essentially what this government is doing with Bill 4, it is asking these particular owner and operators to take under way significant capital expenditures without any hope of gaining that money back. Therefore, in looking at the balance sheet, there is absolutely no way they could stay in the business.

What further exacerbates the situation for these people who own these mobile units is that they have no place to go to if these parks shut down, because tell me any municipality which is begging for this kind of development. Quite frankly, it is not happening. Municipal governments, because of various pressures, are not opening mobile home parks at this time particularly as you get closer and closer to urban development. Even taking away the whole fact that there is absolute reason and logic, and unrefuted evidence in putting forward the argument that my friend has with regard to excluding mobile home parks from Bill 4, what this government is going to do is going to be mean. It is going to put some people in a situation where they have their life investment in a unit which, after the closure of the park takes place, will have nowhere to go. Not only that, but they will not be able to sell that unit for anywhere near what its value might have been if there were more lots available in this province. This is a real significant problem in dealing with the downside of not accepting the amendment of my colleague.

I want to ask the parliamentary assistant, if she owned a mobile home park and she was required by the Ministry of the Environment to install a better waste disposal system, who would she expect to pay for it? Who should pay for it?

**Ms Harrington:** The first question that was asked, with regard to the minister not being here and this being a farce, I just want to point out that the votes are being stacked and we will be voting on each amendment, so I do not believe this is a farce.

I wanted to respond to the member for Eglinton very briefly. She said it is inappropriate. I say that it is very appropriate that mobile homes be included under Bill 4, because Bill 4 is to stop rent increases that were being passed through under the RRRA legislation, and mobile home parks were part of the RRRA legislation, so it is very appropriate that this bill apply to them as well.

The member for Carleton, who has just spoken, raised the question of capital expenditures that need to be done on these properties under the regulations of the Ministry of the Environment. I can certainly understand what he is talking about. Every municipality is dealing with very tough regulations these days, and I am sure that mobile home parks are dealing with the same kind of problems. What I will tell the member is that under the discussion paper for the long-term legislation, we are very seriously looking at the problems of capital expenditures, whether they be in the 20-, 25- and 30-year-old large apartment buildings across this province, or mobile home parks. We recognize that capital expenditures are necessary to keep up the stock and it is very important, as he says, for environmental concerns as well. We do want to deal with that



and there are provisions in the legislation. We want to get the long-term legislation in place as soon as possible, and we hope that the member will co-operate with us in that regard.

**Mr Sterling:** On a point which the parliamentary assistant raises in response to me about the minister not being here, and assuring me that because the votes are stacked, that this is some kind of an answer, that is no answer. My objection is that he is not here to hear my argument, so what does my argument go for? It goes for naught. If in fact the person who is going to make the decision which the parliamentary assistant has just admitted by the fact that the vote is going to be stacked tomorrow, and so all of the decisions are going to be made by the minister tomorrow, and the parliamentary assistant is not going to make the decision today, my argument goes for naught. So does the argument of my friend and every other member of this Legislature who will speak this afternoon.

The other fact is that the parliamentary assistant has not answered my question. We are not talking about the deterioration of a building or of a piece of land. What we are talking about is the upgrading of services on a piece of land. It is a part of capital which was heretofore not required of the mobile home owner. In other words, before, as is the case in many mobile home parks across this province, they were on septic tank and perhaps a common water source, but now they are being required, because of other restrictions, new regulation, to invest more capital into their parks.

We are not talking about a roof that has to be replaced that was originally paid for; we are talking about something brand-new that is required in order to keep this park open. The sewers were never paid for and the rents which were set on those lands were set on the basis of what was paid for. Now we have the government walking in and saying: "You need a new sewer system. You need a water system." Who is going to pay for it? Can the parliamentary assistant answer that? Who is going to pay for it?

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**Ms Harrington:** I will briefly comment that the comments that the member is putting forward now—I think it would be very appropriate if we could hear from him on how to deal with it. This is not part of the Bill 4 discussion. Bill 4 is to cap rent increases, and I think the member understands that.

**Mr Turnbull:** I too would like to start out by saying that I am extremely disappointed that the Housing minister is not here. According to the newspapers this weekend, this is the only substantial piece of legislation which this government has brought forward in six months in office. Yet he cannot deign to come to this House and listen to the clause-by-clause discussion, just in the same way as when we were in the committee hearing of it he did not attend all of the hearings. It is not acceptable, because there are an awful lot of people who are going to be hurt by this legislation.

Let me specifically speak to this first amendment. It is totally inappropriate to have mobile home sites covered by Bill 4. The parliamentary assistant suggests that it was covered by the previous legislation. Let me point out that

the courts did not think so, and they specifically ruled that it was not covered by this legislation. So in this respect they are reaching yet further back than all of the other buildings which are covered by Bill 4 with the retroactivity of this.

What you are doing when you are running a mobile home site is essentially you are running a village. It is a complete municipality. The operator of the mobile home site is responsible for collecting the taxes. They must collect the taxes from all of the people who live there, yet they are given no remuneration for doing that. They have to lay down the sewage system and the water system and the hydro and the roads.

Indeed, during the hearings on Bill 4 in Windsor, we heard one man who said he had gone out and he had cut the trees down with his own hands to clear the site. He had photographs that he passed around to us to show how he had created this site. He told us that he had not made any significant profit in all of the years that he had had it, and he had had the home site for something like 20 or 30 years. He knew that the weeping tile system that he had put in was getting old and was going to have to be replaced. He was charging less than \$100 per month per site. What he was providing for that was all of the services of a municipality, snow clearing in winter, road maintenance, hydro service, water and sewage. Here was somebody with less than \$100 a month being told that with all of this plant and equipment that he has got to maintain this, he is not allowed to make any increases over and above the guidelines.

I would suggest that if this government is prepared to put legislation through to mandate that every single municipality in the province must remain within these guidelines, then there would be some equity to this, but this way there is not, because the government is saying all of the other municipalities can go out and increase willy-nilly what their taxes are. Yet because it decided to include this in Bill 4, this is caught by the guidelines. It does not make any sense.

**An hon member:** You know that's not true.

**Mr Turnbull:** It certainly is true. You have roads, you have sewage, you have snow removal. Now quite clearly the basket of goods which make up the inflation rate in Canada that people typically look at is not the inflation rate that applies to many of these services. They have increased at a much greater rate of inflation. Unless the government is prepared to regulate every single municipality in the province by the same amount, this should not be passed.

**Mr Mahoney:** I would just like to add to the comments in support of the member for Dufferin-Peel's amendment, because I think it is very important that the government recognize what kind of option the mobile home industry can provide to perhaps solve some of the difficulties in our housing sector.

We have a couple of mobile home parks in the Mississauga community that have been there for a number of years and they have worked really quite successfully. I think there has been some difficulty—there were comments made with regard to the difficulties some municipalities are having in approving this particular lifestyle—yet I



know that the Premier himself was touring a mobile home park in the Niagara region just a couple of weeks ago, looking at it as a potential alternative form of housing. Who knows? Maybe he and his minister are thinking about doing something in relation to the Planning Act.

If indeed that is true, it would probably be a progressive step in the right direction of offering the citizens of this province an alternative form of housing. But how does the government couple that with the regressive step of Bill 4 and why, if in fact the Premier is interested in looking at this as an alternative form of housing, would he not deal with the mobile home section in a separate way? Why lump it in? This is what we are having such trouble understanding.

We sat through hearings and we heard people express concerns. I know that in many of the hearings that I attended the parliamentary assistant had a great deal of difficulty with what the people were saying, because I know that the parliamentary assistant had some sympathy with what the people were saying. I just do not understand why the government would not say, "Okay, we see the mobile home sector in society and that industry as a viable alternative and we think it should be dealt with separately."

I wonder if the parliamentary assistant—who I think should be the minister in any event, since the minister already has two portfolios and I am sure finds that Municipal Affairs is an extremely busy one in its own right. I think it would only be right that the member for Niagara Falls be made Minister of Housing. I would support that, if that helps her with the Premier. I want to make the member for Durham East the minister responsible for senior citizens' affairs and the member for Niagara Falls the Minister of Housing. Then maybe we would get some action, if we had one minister concentrating and paying attention to one issue instead of just finding the favourite few in that huge number.

**Mr Curling:** Vacuum.

**Mr Mahoney:** Vacuum? Does the member think that is a vacuum?

I would like the parliamentary assistant, with respect, to really tell me, if she would, why she is not prepared—

**Mr Perruzza:** Come on, stick to the issue.

**Mr Mahoney:** If the member for Downsview understood the issue, he would know I was sticking to the issue.

**Mr Perruzza:** Stick to the issue.

**Mr Bradley:** He's not in his right seat.

**Mr Mahoney:** And he is not in his right seat, but we are.

In any event, I wonder if the parliamentary assistant would tell us why she is not—

**Mr Perruzza:** Wandering around, floating around, always floating around, floating, floating, floating. Stick to the issue.

**Mr Mahoney:** The parliamentary assistant is giving the member the evil eye, so I would suggest he just—

**The Chair:** Order. Would the member for Downsview take his seat, please?

**Mr Mahoney:** Perhaps he would like to go order some more letterhead and business cards.

In any event, I wonder if—I almost called her the minister; I think that might be prophetic—the parliamentary assistant would just explain to us in very simple terms why she will not take it out. Let her deal with it if she wishes to, regulate the industry if she wishes to, bring in amendments that will deal with it under the Planning Act, things that would perhaps encourage municipalities to use this as an alternative form of zoning in their communities, to take it out to community groups, to talk about it, because the people who live in those parks will tell her what the quality of life is like.

In my experience, they are quite happy living in that kind of accommodation and it is perhaps something we should be looking at as a province as an alternative. Is she prepared to carry that back to her minister and to her caucus and to the cabinet?

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**Ms Harrington:** I certainly appreciate his comments. With regard to mobile home parks being an alternative type of housing, I certainly agree with the member. As he knows, the previous government put out a housing policy statement a year and a half ago which called for municipalities to look at all kinds of new types of housing and zoning and speeding up the process for affordable housing. We want basement apartments; we want intensification; we want better utilization of the infrastructures so we do not have as much spread out into the environment around cities. So I would like to tell the member that we definitely are looking at various types of alternative affordable housing, and we are looking at all kinds of new ideas, and that is certainly something we will deal with.

Just to get back to why this is not included in this particular bill, it was included in the RRRA and we are now trying to stop the rent increases that were flowing through under that act. If we took it out of the RRRA, there would be further confusion. People thought that mobile home parks were covered by rent review, and now if all of a sudden we said no, they are not covered by rent review, I think it would be a large policy change and it is something that is not appropriate under this particular interim legislation.

**Mr Stockwell:** Would the parliamentary assistant define for me her definition of capital improvement, please?

**Ms Harrington:** I am sure there are lots of statements here about what capital improvement is. Really any money that is going into the housing other than the maintenance are capital expenditures.

**Mr Stockwell:** The difficulty that I have, specifically, the fundamental difficulty, is in fact that definition of capital improvements. Obviously, if you operate any business, and even the business of running a government, you have capital expenditures, expenditures that are obviously long-term by nature. Municipalities have capital expenditures long-term by nature. They fund the infrastructures of cities; they fund the infrastructures of the provincial government.

The question that must be asked is, clearly heat, a new boiler system, is a capital improvement. People need heat to live. New windows to keep the cold out; that is a capital improvement. All these are improvements that I am certain that those people, in the co-ops that some of them live in,



would need to do to maintain a standard that is acceptable to live in.

I guess the difficulty I have with their government is, if it cannot accept the fact that capital improvements are needed and in fact necessary, retroactively turning them down, what does the parliamentary assistant suggest a landlord, an owner, a person who has put all of his money into this particular building he owns of two or three units do?

What does she suggest they do, allow someone to live in substandard accommodation? Is that one alternative? That is the alternative that is going to be chosen, I assure her, because if you do not have the money to fix it and you cannot recover the money through the rent, who does she propose pay for it?

The only choice that is left at that point is to pass it on to the consumer, and every product works the same way. Why should rental accommodation be any different from any other product? If they pass a new law that causes someone's product to go up in price, like the health tax or the other ideas that they have come up with, then the only thing that happens is they pass that on to the manufacturer or the retailer and the price of the commodity goes up. Why? Because they have to recover the money so they can maintain the profitability so they can keep employing people so they can stay in business—pretty logical.

The flaw that she has and her government has when drafting this legislation is they do not understand business. The fact is they have no concept of business, because none of them has been there. That is the difficulty they are faced with. None of them has been in business. The problem that they are facing with the landlord today is, this person has now got to maintain a building to certain—

Interjections.

**Mr Stockwell:** Well, okay. I should not say that. There are some teachers over there too, and that could be confirmed as a business.

The problem that landlords face today is that municipalities come down on the landlord to maintain certain levels. The question to—

**Ms Poole:** On a point of order, Mr Chair: While I find the remarks from the member for Etobicoke West quite fascinating, I think we are kind of veering away from what the intent of this discussion was to be, which is a discussion on the viability of having the mobile home provision in this particular section of the act.

**Mr Stockwell:** I was just getting to it.

**Ms Poole:** I know he was just getting to it. I would just prefer that he keep his remarks to that.

**The Chair:** Thank you for your help.

**Mr Stockwell:** I got into a bit of a rant. I thank the member for bringing me back in line here.

It is business, and the fact is you have to have capital improvements in some of these sites. The question stands: Who does the parliamentary assistant suggest should pay for the capital improvements necessary that have been expressed very clearly by the Conservative member who brought this forward previous to the member for Dufferin-Peel today? Who pays for it? Just as a very simple question, if the government is not going to pay for it, if the tenants

are not going to pay for it, if the landlords simply will not do it because they cannot afford it, who is going to pay for it?

**Mr Sterling:** Since the parliamentary assistant will not answer the question, I would like to ask her, would the minister or would she accept an amendment to this section which would permit an owner of a mobile home park to amortize the cost of a capital improvement over a 20-year period for any repairs that he was required to do by the Ministry of the Environment?

**Mr Tilson:** Yes, I would like to speak to that amendment. I think the difficulty as I see it is that clearly this government has looked at the subject of capital improvements and says, "Landlords, if you make capital improvements, you can't pass it on, you've got to pay it out of your own pocket, and if you don't have it in your own funds, tough." Which means standards are—

**An hon member:** You could write it off.

**Mr Tilson:** Someone said over here, "Write it off." That is an interesting question. Can you imagine? I might add that that subject has been made very clear in the committee hearings. Revenue Canada has come down with a ruling that says that you cannot write off those types of expenses. You cannot write them off. So it is a double whammy. This government is saying, "If you don't have the money, tough." Then of course we have this issue where these members are totally uninformed where they say, "Write it off." You cannot write it off. That is the problem.

The whole subject of capital expenditures is one that has given our party great concerns, and obviously that does get back to the issue with respect to what the government is trying to do with the subject of mobile homes.

**The Chair:** Order, please. Please speak to the amendment.

**Mr Tilson:** I am trying to get to that.

**The Chair:** Do not speak on the amendment that the member for Carleton has brought in.

**Mr Tilson:** I am doing that, the issue of amortizing the cost of capital expenditures over a period of time. I am trying to do that, and I am trying to show—

**The Chair:** That is not the amendment that you brought in. I have no amendment as such on the table here.

**Mr Tilson:** I am speaking to the amendment that is being introduced by the member for Carleton.

**The Chair:** No. That is not—

**Mr Tilson:** You are not accepting that amendment?

**The Chair:** No, I do not, because I do not have it before me.

**Mr Tilson:** All right. Then I will speak to my amendment.

**Mr Stockwell:** It is in the mail.

**Mr Tilson:** I am flexible.

**The Chair:** You speak on your own amendment.

**Mr Tilson:** Very well. On the subject that the government has put forward with respect to mobile homes, the government is saying that this is subject to rent control and that landlords, when they do have capital expenditures, can



only have the minimum standards as set forth by Bill 4. Obviously, there is the issue that has been raised repeatedly by our party of buildings, that the vast number of residential apartments in this province are 20 years old or more, and there are grave difficulties with that subject.

Obviously, landlords have made it quite clear that if they do not have the funds—they cannot raise the funds, they cannot get them from the tenants, they cannot get them from the banks, they do not have them themselves—those capital expenditures, those capital improvements are not going to be made. Tenants with the residential apartments therefore have the option of simply vacating those apartments. In other words, if it becomes a slum, which has been predicted will happen because of the Bill 4 legislation, if slums develop as a result of improvements not being made, the tenants will vacate those premises and move to premises, if they can find them, that are more suitable for living, aside from those that have been ruled inhabitable by health authorities or inhabitable as a result of property standards regulations.

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However, the mobile home owner does not have that ability. The mobile home owner is stuck. They own, generally speaking, their own unit. If the services are not put in place, the services with respect to roads, with respect to sewers, with respect to water, with respect to any other major expenses, capital improvements that are required by a municipality, the specific owner cannot move out, because there is no place to go, because all the other mobile home parks are filled. Aside from that, there is an unbelievable cost, because if they have to take their unit and move it to another location, that puts a tremendous cost to them and they do not have those types of funds available to them.

I cannot believe that the parliamentary assistant does not acknowledge that distinction between the apartment resident and the resident of the mobile home. Having that in mind, where are these people going to go? Where are the mobile home owners going to go if they are forced to leave as a result of a requirement from a municipality or as a result of a requirement from the Ministry of the Environment that those parks be closed down because they do not have safe drinking water or they do not have safe health conditions? Where are they going to go?

**Ms Harrington:** I would like to briefly respond. I thank the members, especially the member for Carleton, for their constructive suggestions.

In regard to the suggestion that would permit owners to amortize over 25 years work required by the Ministry of the Environment, I would like to say that at various municipalities that are under orders from the Ministry of the Environment to get things done and get things done quickly as development proceeds, there have been deals worked out between the regional government, the municipal government and the Ministry of the Environment. We have looked at each situation in a way that we have to get things done—and we are realistic about it—as the previous government did.

I would like to assure members that any of the suggestions they are making as to how we can look at the problems these people are facing—there are similarities to a municipality. I mean, it does not go all the way. These people are in there to make a profit and municipalities are not, but I do want to say that we want to preserve all kinds of affordable housing. I think members know our programs, like the low-rise rehabilitation program where the government is giving loans in order to keep certain apartments up to standards and also make sure that they are affordable, are some of the kinds of options we will be looking at. But clearly this is not part of Bill 4, which is the interim legislation to cap the rent increases for a short period of time. As soon as we bring in the long-term legislation later this year, we will be looking at all these suggestions.

**Mrs Y. O'Neill:** I too support much of what the member for Dufferin-Peel has said this afternoon regarding mobile homes, and I am sorry I have missed some of the debate.

The mobile home issue is an extremely complex issue and it goes to show that this government was rushing—and I think it has admitted that on some occasions—on Bill 4. Bill 4 is a bill that should have never happened, because it was pulled together and there are all kinds of loose ends. Mobile homes are certainly one of the loose ends. This type of housing is the type of housing that we all in this House should be trying our very best to make easiest and well preserved because it is affordable, because it is an option that many people want. For the most part it is environmentally sound housing. It is housing that people can buy into who have very, very limited incomes, because the mobile home often contains the furnishings that go with it.

My objection, which I do not think has been mentioned to this point in the debate, is the disincentive that is now there to these modest home owners, home owners of affordable housing, to not improve their property because they will be then somehow putting an extra burden on their neighbours simply because the assessment will go up and it will be paid only through the owner of the campground or the mobile home park. Because there is no provision in this bill to deal with the complexities, we still have all the complications in a very valid, affordable type of housing in this province that has not been attended to in this bill, and I regret that deeply.

**Mr Sterling:** I understand the dilemma that the government is in to some degree because it wanted to do something quickly on this issue and therefore brought forward this bill. But having heard the evidence of the committee and having heard the debate this afternoon, the concern that I have is that while some people might think that these mobile home owners, the people who own the total park are making oodles of money, it ain't that way.

In a lot of cases, these mobile home parks were constructed on land which was not high land. It was quite often land which was not all that wonderful either for agriculture or for any other use and therefore in a number of cases that I can think of the sewage system was almost doomed to failure from the beginning, notwithstanding whatever may have been required by the Ministry of the



Environment 15 or 20 years ago, or 25 or 30 years ago in most cases, as to what were the standards then, which I believe should have been higher. But that is past history and it has been done, etc.

People move in with good faith, put their life savings into a unit which may be worth \$20,000 to \$40,000 to \$50,000 or whatever. The problem is that over those periods of time, because of the way mobile homes developed in a large part in Ontario, the services, the roads, etc., were often done on a shoestring. It is unfortunate, but that is the way it has happened. Therefore in order to attract people into these parks, often the rent is relatively low with respect to other types of accommodation that are provided in the community. That has been the keeper as to what those rents should or should not be.

My concern is that I do not think the government is going to be able to wrestle with the overall problem in a very short period of time, and I have heard via the grapevine that we are going to travel across this province maybe this summer to talk about rent control in the longer term and in the bigger picture. If I would draw on any experience that has been gained over the past five years, it is getting more and more difficult to deal with thorny issues like this in a shorter period of time because more and more people want to have a say and more and more members want to have a say, and as the minister brings the issue to the fore, I think we are talking about a couple of years, or maybe two and a half years, to settle this issue.

In the meantime, I think the government is faced with a significant problem with a number of mobile homes that are going to be forced with closure. I can remember one smaller mobile home closing in my former riding, which used to be Carleton-Grenville.

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**Mr Bradley:** The good old days.

**Mr Sterling:** Those were the good old days, yes. This particular mobile home park had, I think, 25 or 30 units. Well, it was just impossible to operate with that number of units and keep a mobile home park going. So the economics of running one 30 years ago are certainly not the economics of running one today.

I really believe that the parliamentary assistant, by carrying this section forward, is going to put out, I do not know, maybe one, maybe 10 mobile home parks. But the problem is, once they are out and that land reverts back to another use, then it will never be a mobile home park again. You base that on the history of what has happened in this province in terms of municipalities welcoming low-cost housing into their communities or trailer parks into their communities. It is just not happening across this province now.

I represent five municipalities at this time, and quite frankly they are not looking for that kind of development in that area. So you get the NIMBY syndrome, the not-in-my-backyard syndrome, whereby the people who live in the neighbourhood do not want to see that kind of development because they see it as a devaluation of their own property. Whether that is true or that is not true, that is what the perception is.

Therefore, if you put these people out on the street, what you are doing is taking their life savings, which may be fairly small in terms of what most home owners think of in this province and in this city. What is the average cost of a home, \$230,000 or \$240,000? So when you talk about an investment of \$20,000 or \$30,000 or \$40,000, that does not seem like a lot, but it is these people's lifetime investment. That is why we are fighting so hard on this particular amendment, because I am more concerned about people who only have \$20,000 or \$30,000 or \$40,000 than I am about somebody who has \$230,000.

So my question to the minister before, and she has not yet answered it, is, would she accept some kind of amendment to this bill? Quite frankly, I am not familiar with the operative sections and how it would be tied into it—and perhaps she could help me, because I am quite willing to be co-operative on this—but would she consider an amendment in the case of mobile home parks, if she wants to restrict it very narrowly, which would allow the landlord to recoup over a 20-year period the capital investment, and the interest charges, of course, which would be required for that capital investment, something that would be fair? Would she allow them to permit to spread this out over a period of time?

I do not know if she wants to pick 25 years or she wants to pick 30 years—that is fine and dandy by me—which would bring the payments down, but I think that without doing that we in this Legislature are inadvertently causing a lot of problems for a number of people who are less able to take care of themselves in finding alternative housing and in maintaining their home in a mobile park which is no longer economically viable. I really believe that is going to happen.

**Ms Harrington:** I would like to thank the member opposite for his proposal. I would like to tell him also that the minister—that is, not me—is at a meeting of the policy and priorities board of cabinet at the moment, and I do wish he were here to hear the member. I want to assure the member that we support mobile home parks, that it is part of our NDP policy that mobile home parks are a form of affordable housing and that we would be most concerned if these were in any way jeopardized by this legislation. I am sure we will deal with that situation.

**Mr Sterling:** Perhaps the parliamentary assistant could help me directly then and consult with her advisers as to which section I would look to if I were going to introduce an amendment like that. Would it be this section or would it be another section within the bill, or would I have to add it to the bill?

**Ms Harrington:** My adviser tells me that it would be more appropriate under the section dealing with capital—is that correct?—because it is an exception to the rule on capital expenditures, section 9.

**Mr Curling:** First I would like to compliment the bureaucrats for trying to make a bad thing better, but it is going to be very difficult.

I will speak specifically on the area, but Bill 4 itself, I think, is something bad that has gone worse. A critic here commented a long time how hurried it was, and the part on



the mobile home owners, the mobile parks, has shown how hurriedly this thing was put together.

I would ask that the honourable parliamentary assistant comment on this. Is there a contradiction? The member stated that her party is in strong support of mobile homes, but in the meantime has excluded it from any sort of protection. Because you protect affordable housing, how could you support this and then have a protection of putting it on the rent control?

Interjection.

**Ms Harrington:** I would like to clarify that this is under Bill 4. It is under the control of this legislation. The rent increases will not be going up more than 5.4% this year because we are including mobile home parks under this legislation.

**Mr Curling:** I am so happy that I woke up the back-bencher there.

I know that their parliamentary system got—it is almost like giving her a basket to carry water; it is not even adequate.

I would like to comment and to state that when Bill 51 was in committee of the whole, the minister himself was here all the time responding to all the questions. I just hope that there is some consistency, of course, when the minister is here. We know the time when we had our bill forward, it was an extremely important bill, thought through and put forward with good consultation, and I am very, very disappointed that this is not done.

The member said that the capital costs will be considered in section 9 for the mobile homes. Would the member indicate whether it will be 20 years or 25 years when we put it there?

**Ms Harrington:** At this time there has been no amendment put forward under that section, so it would be up to the member from Carleton if he would like to pursue that.

**Mr Stockwell:** The previous question I asked was not answered and I would really like to get an answer.

For instance, if you get specific work from the city, you have got an inspection, the city is demanding certain works be undertaken, obviously capital improvements, particularly on one of these sites. Now, the profitability of the operation is marginal at best. We would know that; we accept the fact that it is marginal at best. Who is going to pay for the capital improvement? Capital improvements are standards. The city sets these standards and it is law that one must live within these standards. Now, if the city orders work to be done, who does the member suggest undertake the cost of the capital works improvements?

The landlord is in a marginal operation at best, clearly not having the money, not being able to pass the costs off to the tenants. Obviously, they are not going to do the work. Second, you have got the tenants who are protected. They do not have to pay for the capital works improvements. They are not going to pay. The government itself is not going to pay—that has been made clear—for capital works improvements on privately owned operations. The municipality that is ordering the work is not going to request it be paid. So in the alternative, who is going to make the capital work improvement if it is in fact ordered?

1710

**Ms Harrington:** These improvements that are needed for mobile home parks—obviously the state they are in now is a reflection of what has been happening year after year for 5, 10, 15 years back. There have been provisions under the RRRA at least for the five years, as the member says, to pass them through to the tenants. So I do not believe that all of a sudden on 1 October 1990 things fall apart and these huge capital expenditures are necessary. I do recognize that the Minister of the Environment and/or other agencies may be putting on pressures this year, maybe more than last year, and I am concerned about the viability of these affordable types of homes—certainly we all are—and that we get through this period and make sure they have the environmental assurances they need, the sewers and storm water, whatever happens to be the concern.

What I am saying is that yes, the owner of that property is responsible. The other thing I mentioned before is that once we get into the long-term legislation, we will be dealing with or possibly looking at the work that has been done this year. That has not been made definite yet, but I am saying that under the green paper we are discussing what to do with capital expenditures, necessary expenditures.

**Mr Stockwell:** With all due respect to the parliamentary assistant, she cannot be serious suggesting that she cannot believe there could not be some work coming up. They break down. On capital works projects things break down and there is an ongoing restoration of capital works programs, projects, in any kind of facility.

Now the parliamentary assistant stands here saying she is going to address this in the green paper. What comfort level does anyone who owns and operates one of these facilities have with a government that just introduced retroactive legislation that potentially could have ripped off their original investment in the first place?

The other statement the member makes, suggesting she cannot believe they have all of a sudden come up, what does it matter what she believes? In actuality, capital works projects are undertaken on a yearly, monthly, daily basis around this province because they break down or they are needed for improvements.

The question is, who is going to pay for it? The lame answer we get is the landlord, who is in a marginal operation at best now and who is going to take some hundreds of thousands of dollars to update a facility with no return. What kind of answer is that?

The member is suggesting that out of the goodwill of people's hearts, they are going to invest \$300,000 or \$400,000, potentially more, to update a capital works project with no guarantee of return and a possibility from a government to undertake a review of the capital works projects next year, the same government that retroactively ripped them off from their previous capital investments. What kind of comfort level is the government offering anyone who owns these facilities?

The member is talking through her hat suggesting that the landlord is going to fix it up. Who thinks any landlord is going to pay that kind of money to do capital works projects on a marginal operation, at best with no profitability?



What is going to happen is that he is not going to do it. The municipality is going to have to go in and do it, put it to his taxes. He will not be able to afford his taxes. They will close him down and all those people in those units will lose their place to live, all because the government does not have the foresight to see through what is a painfully disguised, lousy piece of legislation that was not given any forethought.

**Ms Harrington:** This is a very important piece of legislation. It is very significant and, as the member knows, almost the first piece of legislation that was brought forward. We believe that the people of this province who are renters need protection, and that includes the mobile home people. What was in effect was a system that was too bureaucratic, too complex and people were getting passed through this money over and over.

So we are determined to put in an interim legislation to cap the pass-throughs and to work out, with the member's help and everybody across this province, how we will get a good system that will work, that is fair to landlords and tenants. The member may tell me there is no such system, but we are determined to find that system.

I just want to make one comment on what the member mentioned there. If in fact the municipality has to do the work for the mobile home park owner and put it on its taxes, any extraordinary increase in taxes can be passed through under Bill 4.

**Mr Tilson:** I do not think these questions that we are asking are difficult. With all due respect to the parliamentary assistant, it is regrettable that the minister is not here. We have been advised there is a cabinet meeting going on. I see at least four ministers in the House now. I assume they are playing hookey or the cabinet meeting is over.

Interjections.

**Mr Tilson:** This is the inner cabinet. Quite seriously, it is regrettable, with the questions that have been asked, that these questions cannot be answered. It is regrettable that the minister cannot be here to answer them.

I do think I would like some more clarification with respect to the subject as to who is going to pay for these capital expenditures that are needed. The government does see fit to include the mobile home units under rent control as opposed to waiting for the more permanent legislation. They feel that it is that important. Yet we have had delegations come to our committee that have given several examples where work simply will not get done. In other words, in answer to the parliamentary assistant, they as landlords do not have the money. They simply do not have the money.

Yes, the parliamentary assistant says, "Oh well, we will let it go for taxes and we will let the municipality do it." That, of course, is assuming the property standards have not been enforced, in which case the municipality would come in, do the work, add it on to the tax bill. If the taxes are not paid, they sell the property. That is almost a very flippant sort of answer, with all due respect. That is an answer. In other words, just let the place go, which is a wonderful way to look at the quality of life of the tenants of the mobile homes, people who in some cases are living

in retirement in these homes. That is the attitude of this government. "Let the work not be done, or worse yet, let the place go for taxes and they do not have any choice." They have no place to go but that is an answer. That is the answer that appears to be given by this government.

Again I get back to the question. There are other areas, not just the property standards types of areas, the bylaws of municipalities that may not be enforced, where municipalities can go and complete the work required and add it on to taxes. There are other areas and they have been listed. Obviously the Ministry of the Environment may be one. If a septic system goes or something is wrong with the sewage system and the health people come in and close the place down, this work has to be done. Again, I guess I asked the question with that specific point in mind which has been given to us at these hearings: Who is going to pay for that? Who is going to pay for work which in a municipality would be paid for by the municipality? In other words, if the sewer collapsed and work had to be done on the sewer, the municipality would find the funding to do it. In these situations the landlord does not have the money and he has told us he does not have the money. Who is going to pay for it? That is the question to the parliamentary assistant.

**Ms Harrington:** I would just like to say that ongoing repairs and maintenance and this type of upkeep are well within the 5.4% guideline that this increase per year is in order to maintain.

1720

**Mr Tilson:** I find it amazing that statement was made. She obviously has no idea what it costs to install a sewer system. She has no idea what it costs to construct a road. She has no idea what it costs to construct a water system. All those are major capital expenditures which these individuals simply do not have the money to do. It is not within the 5.4%. I would like to know what facts she is relying on to make that statement. With that question we appear to have finally stumped her. I do not mean to be stumping her because I think they are very legitimate questions.

I still am waiting for the answer to the question that I asked earlier this afternoon, that if this work is not done for whatever reason—landlords cannot afford it, they cannot raise the funding for it—and the Ministry of the Environment comes in, as an example has been given to us, and there is the threat of closing the place down, given the example of the apartment owner or the individual who rents from an apartment owner who can move to another building, these individuals have to take up their mobile home units at great expense and move to other areas, but these same people have said, "We have no place to go."

I would like an answer to that question, under those circumstances under this legislation, where are these people going to go?

**Ms Harrington:** I have, over the course of the last hour, offered several suggestions as to our concern for the mobile home park residents. That is why we are putting forth this legislation, to protect them from rent increases so that in the long run they will be able to stay there. The suggestions I made were that we would be probably looking



with the municipalities and the Ministry of the Environment to make sure that we can keep these places at a good level of service. I mentioned the low-rise rehabilitation program, and the suggestion from the member for Carleton made me think that we should be looking at various new alternatives if in fact that type of situation that the member has mentioned comes about, because I would like to assure him that we are concerned. That is why we put forward Bill 4, to help these tenants, and we are not going to say, "Let's close down the park," because that would certainly be the exact opposite of what we are trying to do.

**Mr Turnbull:** I find great inconsistency in what the parliamentary assistant has just said. She mentioned earlier that within Bill 51 the capital expenditures were allowed, so she accepted that they had to be paid for in a way. She said that for the last few years people have been allowed to do that, to expense that. She also alludes to the fact that within the permanent legislation it appears that there will be an allowance to be able to charge that. But we are dealing with the period of this legislation of Bill 4.

Are we saying that, oh yes, we need the expenditure before and we need it afterwards, but in the meantime, somehow, magically this money is going to come down from Heaven? If you are making a loss or relatively a break-even point, you do not suddenly have the money. These are small operators. When we are talking about somebody who is typically charging in the range of \$100 a month, if we stay within the guidelines we are talking about such small numbers that perhaps we can replace one septic tile per year. In the meantime the Ministry of the Environment and presumably the municipalities are going to be rather upset if the lifetime of that facility is worn out.

If she is saying that she is quite prepared to let these people sit on their hands and do nothing in the meantime in order to protect this affordable housing—and remember, these people who have their mobile homes own the homes, they have already got that. It is just a question of about \$100 a month. The operator cannot afford to do the renovations; that is a fact. You cannot say, "Well, why didn't he do it before?" The reason he did not do it before was because its life had not expended. It is no good rushing.

There is the suggestion from this government that whenever a government brings forward legislation that allows you to do something where there might be some advantage, you rush out and you do everything at the same time because the government may change its mind. Governments change, we know, but they do not go normally and retroactively change everything.

What will she do about guideline numbers on \$100? One tile does not suffice to replace a whole tile system in a weeping tile system. We are talking about very small numbers of dollars, and if your weeping tile system is 20 years old or 30 years old, it is gone. What will she do?

**Mr Tilson:** It is unfortunate that the parliamentary assistant has chosen not to answer that question. I think it is a reasonable question, but let's try another question.

I have a number of mobile home parks in my riding, as I am sure most of us in this House do, in the rural areas at least. Aside from these other areas, some of these mobile

home parks are used not only as people's permanent homes, particularly seniors who retire to these areas, but individuals who simply cannot afford a house in a subdivision. It is a different type of housing and it is a good type of housing. There are also the individuals who spend their vacation in these parks. They cannot afford, like perhaps many members of the government, to go to Florida and to go to the Bahamas and other areas of the world to spend their holiday. They cannot afford that so they spend their holidays at mobile home parks, and they are good mobile home parks. They are clean and they have good facilities, and these facilities need to be maintained.

The capital expenditures need to be maintained. The fear that our party has on this particular subject, as we do with the overall legislation, is the deterioration of the quality of life of the tenant of this province, not only in the apartment residential units but with respect to the mobile homes since that is, of course, what the amendment is dealing with. Whether it is a permanent home or whether it is the type of mobile home that is being taken as a summer cottage or a temporary site, these people expect good-quality living and yet, because of this bill dealing with mobile homes, landlords have come to us and have said, "This work isn't going to be done because we don't have the money to do it."

I am not talking about the other areas which she has refused to answer; I am talking about just maintaining the quality of life that these people should have. Now, they say they are not going to get it done. How does she propose to have this work done? I am not talking about legislated requirements such as the Ministry of the Environment requirements or the property standards bylaws; I am just talking about maintaining that quality of life that the people of this province deserve. What is she going to do about that if she is putting this type of home in this legislation?

**Ms Harrington:** I want to point out to the member that there are many seniors who make their home in mobile home parks. In fact, my mother-in-law who is about 75 or more, on a very low fixed income, lives in a trailer park. We bought the trailer and she has to pay the monthly cost. These people cannot afford large pass-throughs of capital expenditures, and that is what this government is concerned with. Even though it may seem small to the member to go up from \$100 to \$150, that kind of range, or \$200 to pay for new services, for many people who live in mobile home parks, this is too much of an increase, and that is why they are covered under Bill 4.

1730

I would like to point out to the member that Bill 4 is interim legislation that we brought forward so we could resolve the question of what types of accommodation in this province should in fact be covered. That is the first question we ask in the green paper. All the rest of the questions, about where capital expenditures should come from and who pays and all those kinds of concerns that the member has been raising, and very legitimately so—but I would tell him that Bill 4 is interim legislation and we want to get on and work with him on long-term legislation that will answer some of these concerns.



**Mr Tilson:** It is regrettable that this question has not been answered. It is concerning to me and it is concerning to members of our party that the quality of the life of the tenant, specifically in the mobile home, is going to deteriorate as a result of this bill, and that is tragic. I am not just, as I say, speaking with respect to the permanent home but about people who are spending their vacations at these parks.

Since the parliamentary assistant will not deal with that area any further, and that is regrettable, I would like to ask a further question of her. This applies to all of the legislation but certainly applies to this specific amendment: As a result of the government insisting that the mobile home be included in this legislation, how does she propose to encourage more mobile home parks to be built? Obviously it is not going to pay. I have read into the record statements from individuals who simply say: "It doesn't pay us. Even within a family, it doesn't pay us to operate." They are needed. It is a needed system of housing, not only for permanent housing but for vacation housing, and this legislation is regressive and is not encouraging the mobile home parks to expand.

On this subject of encouraging landlords to build more housing—and this is not done to be flippant; this is being done because this type of question was asked throughout the various cities that we attended—is a poem that I would like to read into the record, a poem that deals with the subject of how we are going to encourage landlords to build more housing, and specifically the mobile home. This was delivered to us and it became an exhibit to the hearings on 14 February 1991. It was written by Rob Van Hae and it is entitled Rent Legislation and Unfair Restrictions:

A landlord is considered a low-class citizen,  
He struggles his best with unfair legislation.  
Society is there to force a poor decision,  
He has no chance, he can barely make a living.

In every other business there are no restrictions,  
The landlord is forced and they don't listen.  
To do what is best for everyone together  
Is not what they want even though this would be better.

Our members of Parliament are thinking of the votes.  
Yes! All they can get from most of the folks.  
They are buying votes from all of the tenants,  
By giving them all an expensive residence.

Our taxes are high, we have a large deficit,  
We are most certainly beyond our limit.  
All this mismanagement and expensive squandering  
It costs so very much for all this government housing.

It really does cost three times as much  
Because they don't have the businessman's touch.  
If business were allowed only half this amount  
This could easily settle the landlords' account.

Why not encourage all the landlords  
To build more housing that we can afford,  
And let's not forget the ones in need,  
For they should all be helped to pay the rent indeed.

My question, therefore, to the Minister of Housing is specifically, given the testimony that was given to us in these hearings and the comments that have been raised by both opposition parties with respect to the mobile home, and given the fact that he has stated that he is going to insist that the mobile home be subject to rent controls, how is he going to encourage someone to go into the mobile home business?

**Hon Mr Cooke:** I appreciate the opportunity to be here for a few minutes. I should point out to the critic for the third party that the reason I was not here this afternoon is because we were in policy and priorities board of cabinet. I apologize for that, but I hope he will understand that there are other responsibilities that I also have. That is why my parliamentary assistant has so ably been doing the job that parliamentary assistants are supposed to do, that is, covering in the House.

The critic for the third party can go on and debate this for as long as he wants to. We had a full discussion in committee. He knows that there is an interministerial committee that has been set up to look at the whole issue of mobile homes and how they fit into the regulatory structure in this province, and that is appropriate, but I am not prepared to indicate to the critic for the third party that we as a government are going to look at regulation or no regulation of this sector of rental properties or any other sector of rental properties that have been covered traditionally by legislation in this province.

The way that he pictures and describes all of these situations is as if there is only one side to the story. There is another side to the story, and that is that for every landlord he is talking about, he or she has several tenants in mobile home parks, and we have had considerable difficulty over the years with substantial rent increases and applications for substantial rent increases. I can tell the member now that we also have some particular circumstances of conversions to co-operatives by the owners in an effort to get out of regulation, and that has put tenants in mobile home parks in this province in great jeopardy.

The member for Essex-Kent, who has one of those right now, can tell the member about the difficulties that some of the tenants are in, even under the present regulatory structure. So if the member is coming here and telling the government today that he wants to deregulate the mobile home rental sector, I can tell him right now, that is his opinion. We fundamentally disagree. We believe the tenants in mobile home parks in this province deserve protection. I do not know for sure because it is not always predictable to know where the official opposition is, but I would suspect that even the official opposition would agree that there has to be regulation of mobile home parks.

The critic for the third party can continue to debate it all afternoon. We had a substantial debate in committee as well. We have come to a different conclusion. I would just ask him, as the critic for the third party, to start considering the need to get on with the passage of Bill 4. We have had substantial debate at second reading, substantial debate in committee of the Legislature and this afternoon we have now been going for nearly two and a half hours, and he is still on section 1. If the name of the game is to simply hold



up the bill, then the member can tell us that that is the name of the game, that he just wants to hold up the bill and he does not want to proceed with passage. We are certainly beginning to understand that very clearly.

**Mr Tilson:** I think it is high time the minister does come and address these very important issues that we have put to him on this area. They are very good questions which have remained unanswered, and I am not going to repeat—unfortunately, he has just arrived—what we have been talking about all afternoon. That is why this legislation is here, of course. We are not like him. We are concerned with the overall quality of life of the tenant and the landlord. We are looking at the economy of this province and the overall effect that this legislation is having on it, and that is why we are asking these questions, most of which are going unanswered.

I am going to ask it just simply once more—I am not going to repeat the other questions and I do not want to get into the green paper and what the minister plans to do; I am looking specifically at Bill 4—in this interim period, how does the minister propose to encourage landlords or individuals to expand the mobile home parks, to put capital moneys into them when they do not have the moneys or, better yet, how does he propose to encourage them to build new mobile home parks that are needed?

1740

**Hon Mr Cooke:** Does the member have the statistics of how many new mobile home park units have been created in the last number of years? It has not been very substantial. So on the other hand, we have to also look at protecting the tenants who live in the mobile home parks in this province, and that is the balance that we must find. In our view, in the past there has not been adequate protection. We are prepared to substantially increase the protection of tenants in this province, whether they are in private sector high-rise, low-rise or mobile home parks. That is the determination of this government.

Strategies on supply, whether it is in mobile homes or whether it is apartment units, I think are issues that we have to deal with in the overall housing strategy, but part of any decent and comprehensive housing strategy in this province has to be regulation of rents for the consumers. We fundamentally believe in that. Those people would de-regulate. We want to strengthen the regulation to protect tenants.

**Mr Tilson:** It appears the minister has made up his mind on this subject. Our party is interested in all types of housing accommodation and we are interested in encouraging all types of housing accommodation: the mobile home, the condominium, the co-operative. We are interested in all of these things, and obviously this government has no intention of encouraging the improvement of the quality of life of a mobile home owner or the building of new mobile home units, so I have no further comments or questions with respect to this amendment.

**Mr Sterling:** I am glad to see the Minister of Housing is here now.

**Hon Mr Cooke:** That's not what you said when I came in.

**Mr Sterling:** That is not what I said when they came into government? Right.

Before he was here, we were trying to find accommodation for people who live and who are tenants in these mobile home parks. I know he has a busy schedule. It is unfortunate that he was not here, but the problem relates to the fact that there are, in my view, too few mobile home parks in Ontario to provide a certain type of accommodation for a sector of our public.

What I was trying to ask the parliamentary assistant was whether or not the minister might consider an amendment which would permit a mobile home park owner the opportunity to recapture costs which were required of him in capital expenditure as a result of a request of a municipality or ordered by a municipality or at the request of the Ministry of the Environment or ordered by the Ministry of the Environment or at the request of the board of health or ordered by the officer of health.

The reasoning was this, that if you look at the development of mobile home parks over the past in Ontario, most of them I believe were developed 30 or 35 years ago, at a time when zoning and planning were not at the same level that they are now. Many of those were developed in properties which were low-lying, non-desirable land, land which was not good for agriculture, was not good for anything else, basically. As a result, even with the reasonable environmental standards, one might argue, at that time, many of those mobile home parks have problems now with water supply and with sewage disposal, and as a result, some of them are now being asked to update those services. They are caught in a conundrum of having tenants who cannot pay a great deal of rent and are also in a situation where some of them are on the verge of survival. A lot of the services in them were done on a shoestring. A lot of these parks were developed by people who did not have a lot of capital to begin with, and therefore now they are being asked to upgrade those services.

What I wanted to ask the parliamentary assistant, and I now ask the minister's indulgence on it, was whether or not he would consider an amendment, I believe to section 9, with the help of his counsel and his advisers, which would allow the mobile home park operators to recoup costs which were necessary for them to involve themselves with because it was necessary for environmental standards and that that cost be spread out over, I do not know, 15 or 20 years or whatever is reasonable, in the minister's estimation.

The argument given back, and it was eloquently put by the parliamentary assistant, was that the government was going into a period of debate with its new legislation. I do not think even in the most optimistic of situations the minister might dream of doing it within a year and a half or two years, but my concern was over the fact that if one mobile home park closes, you are going to put as many as 60 or 70 or 100 people who own units in a situation where they have put their life savings of \$20,000 or \$30,000 or \$40,000, with no alternative. They own a unit, but they do not have any land or a lot to sit it on, because there are not a lot of empty mobile home lots at this time.

So the concern expressed by my friend and my party is that a reasonable law be struck in order to allow these



mobile home owners to stay in business over this next two-year period. My thoughts were to put forward an amendment to section 9 to allow a capital cost allowance, or whatever you want, which could be passed along to the tenants, in lieu of throwing the tenants, or throwing some tenants out or closing the park, over a period of time which would be reasonable.

I think you have to remember that you are not dealing with a situation here where you have basically developers who have done extremely well for themselves, have large operations or whatever. A lot of these operations are family-owned, family-operated, and in a lot of cases the costs which are reflected in their rents have—well, they have not been reflected in their rents, because they have not been able to charge that over the 30-year period. Therefore, I would ask the minister's indulgence in considering an amendment like that. I would ask the minister if he would consider such an amendment.

**Hon Mr Cooke:** Well, that is not the amendment that is before us, but were it to be put before us, the same arguments would be made, of course, for capital in other apartment buildings.

Bill 4 is a temporary piece of legislation. I think the member is being rather pessimistic in terms of the time frame for the permanent legislation, and of course much of the time frame will be up to them. The longer they delay on Bill 4 and the longer they delay on the permanent legislation, then the more difficult it is to get permanent rent control legislation in place, but that is a decision for those people to make.

1750

I am amazed throughout the whole debate on Bill 4 that whether it is parking garages or whether it is roofs or whether it is major requirements in mobile home parks, they all seem to have gone on 28 November, the day that Bill 4 was introduced. It seems rather strange to me that some of this capital work was not planned for and perhaps even applied for under the old legislation. If it had been applied for under the old legislation, the system took so long that if they were in financial difficulty right now and they had an application that had an effective date before 1 October, they would still be waiting to go through the system for months and months and months anyway because the old system was so complicated and so difficult to deal with.

I think that the best way we can go is to pass Bill 4 as it was amended in committee, because I think anybody who is watching this discussion on TV should understand that this is not the first time we have gone through clause-by-clause. We went through clause-by-clause in the standing committee on general government. We accepted some amendments, and now we would like to see Bill 4 brought in for third reading. We are basically opposed to and not favourable to any further amendments to the bill. We dealt with clause-by-clause of the bill and accepted some amendments when it was in the standing committee of the Legislature.

**Mr Sterling:** I had hoped that the minister would not draw the analogy to high-rise or apartment land, because I

think there is a significant difference when you are dealing with these kinds of land. He is the Minister of Housing and he should be concerned about providing housing of various and different kinds in the province of Ontario. I do not think it is hard to get a municipality to agree to zone land high-rise residential, because it gains a fair bit of assessment, but my experience has been that there are not very many municipalities asking for zoning to be involved in trailer parks.

Therefore, while it may be crass to say so, I could withstand perhaps the situation where an apartment building no longer was zoned for apartment building but I am concerned about trailer parks that are no longer zoned as trailer park. The concern is—I do not know how many units there are across the province of Ontario; there may be only 3,000 to 5,000 or whatever—that once one trailer park closes, the person who has invested the \$20,000 or \$30,000 or \$40,000 in that unit has to have a spot to park that unit, and I believe all of the municipalities which I represent, and many of the municipalities which have by-laws that I am familiar with, will not permit those units to be parked in their municipality, or it is very, very difficult to achieve that.

Therefore the downside in not dealing with this as an exception is much greater than what the minister is talking about in dealing with an apartment. I would really ask the minister's indulgence in perhaps not making a decision until I present my amendment on Thursday next, when I believe we will be debating this bill once again and that he will consider an amendment that deals specially with, I believe, a very special problem. The minister is not dealing with downtown Toronto. He is dealing out in the boon-docks, in most cases, in the province of Ontario. I just think that a lot of people, a lot of tenants, a lot of people who have invested their money are going to lose it unless the minister does something in Bill 4.

**Mr Turnbull:** We are discussing clause 1, and of course that is about trailer parks. But the Minister of Housing is as usual trying to confuse the issue by suggesting there were a huge number of applications that were made just after he got into office. He knows absolutely, perfectly well that the reason there were a large number of applications was that the Ministry of Housing did not have an application form which was required at the time that it should have been available in the springtime.

**Mr Sterling:** One other response I want to make to the Minister of Housing is that in committee he heard all these amendments. I think that if this government is going to be open and concerned about having the best piece of legislation and doing the best for the public of Ontario, it cannot take the general attitude that because something has gone through committee and amendments have been considered there, this Legislature is deprived of bringing forward amendments at this stage. Quite frankly, I did not have the opportunity to sit on that committee or participate in that because I was involved in other parliamentary matters at that time.

I do believe that if this government wants to have credibility, it should continue to keep the process open as long



as the standing orders allow it to be open, which allow it to be open in this committee, the committee of the whole House, to make it a meaningful process for the minister to be here to listen to amendments and to consider those in a reasonable and logical fashion with an open mind.

Therefore I do not accept his argument that because we had clause-by-clause for four days or whatever it was in a committee that stood out here, and two members of my party were members of the committee, all members of this Legislature have had their opportunity to be involved in this debate on Bill 4 and put forward meaningful amendments. I think that is part of the parliamentary process and I think this government should accept it.

**Hon Mr Cooke:** Obviously, if the member presents an amendment, I will take a look at it, but the nature of the amendment that he has described, the principle of it, is not one that I agree with. But if he is talking about the parliamentary process and being open to amendments, the amendment that his Housing critic is proposing would deregulate the mobile home parks in this province. If he wants us to take his amendment seriously, then he should put serious amendments forward. We are not prepared to consider deregulation.

**Mr Tilson:** Just one final comment with respect to the retroactive effect of this legislation. The effect of the bill results that this clause dealing with mobile homes will be retroactive to 1 January 1987. I would like to just relate to members an incident from the township of Woolwich which is having a devastating effect on a mobile home park in that area.

This village has 78 mobile homes and 200 people. The owner of that particular unit provides hydro, water, septic, sanitary services. The septic system is 30 years old and needs to be brought up to current Ministry of the Environment standards. By bringing this mobile home site under controls, the owner will not be able to finance the needed infrastructure improvements, and because the clause is retroactive to 1 January 1987, this park owner will owe the tenants \$60,000. Therefore the business is no longer economically viable and he simply will not be able to continue operation. This of course is a source of affordable housing which would be lost for 200 people, and I think that is regrettable.

**Hon Mr Cooke:** I do not want to continue the debate other than to say to the critic that he is not being entirely fair in trying to indicate that this is retroactive to 1987 for rent regulation of mobile homes.

He knows as well as I do that the bill that his party voted for, Bill 51, the legislation that we currently operate under in Ontario, was assumed to cover mobile home parks. So let's be honest and aboveboard with everybody and indicate clearly that owners of mobile home parks assumed that they were covered by rent regulation. The only thing that this amendment does is clarify that and make sure the wording that was used in Bill 51 in the past is absolutely clear for the protection of tenants of this province. I will be fair with the member and I think he should be fair with us as well.

The committee of the whole House reported progress.

The House adjourned at 1801.



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
Gigantes, Hon Evelyn	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Hampton, Hon Howard</b>	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	
Kwinter, Monte	Wilson Heights	Lib	
<b>Lankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Martel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>North, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
<b>Philip, Hon Ed</b>	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
<b>Pilkey, Hon Allan</b>	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
<b>Pouliot, Hon Gilles</b>	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
<b>Rae, Hon Bob</b>	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
<b>Swarbrick, Hon Anne</b>	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
<b>Wark-Martyn, Hon Shelley</b>	Port Arthur	NDP	Minister of Revenue
<b>Warner, Hon David</b>	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
<b>Wildman, Hon Bud</b>	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziembra, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

## COMMITTEES OF THE LEGISLATIVE ASSEMBLY

### STANDING COMMITTEES

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Chair: Drummond White

Vice-chair: Mark Morrow

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Clerk: Lynn Mellor

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Vice Chair: Gilles Bisson

Members: Charles Beer, Marilyn Churley, Ernie Eves, Charles Harnick, Margaret Harrington, Gary Maldowski, Steven Offer, Yvonne O'Neill, Fred Wilson, David Winninger  
Clerk: Tannis Manikel

### SPECIAL COMMITTEE

#### Parliamentary Precinct

Co-Chair: David Warner

Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Irene Mathysen  
Clerk: Smirle Forsyth



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# Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Wednesday 3 April 1991

# Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Le mercredi 3 avril 1991



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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### **Table des matières**

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 3 April 1991

The House met at 1330.

Prayers.

## MEMBERS' STATEMENTS

### GARBAGE DISPOSAL

**Mr Mahoney:** The Minister of the Environment has really put the cat among the pigeons in the region of Peel. When the Britannia landfill site was opened in 1977, an agreement was entered into by the city, the region and, most important, by the citizens that the Britannia site would exist for 12 years. Out of necessity and by mutual agreement, that period has been extended for the time being.

The 27 March order in council issued by the Minister of Municipal Affairs took away planning authority for 500 metres surrounding this site. Is this not a crystal-clear message that the original agreement will now be ignored and the Britannia landfill site will be extended indefinitely?

Part of the Britannia agreement was that the city of Brampton would take the next Peel regional dump site. Obviously that arrangement means nothing to the minister. She has taken site 6B in Brampton off the table and frozen development around Britannia with no consultation with the people.

The minister comes into her portfolio on a white charger, acting like Annie Oakley, saying she is going to solve all the problems by having municipalities and the people of the province adhere to the 3Rs. We all know that the fourth R, re-election, is the only one she and her colleagues are really concerned about.

Annie had better get her gun, because if she thinks she can simply extend Britannia without consultation or discussion with the citizens or the city, there will be a showdown with Hazel McCallion at high noon on the main street of Mississauga for the battle of her life.

Peel has gone through the site search process and this minister has undermined that process. She has ignored past agreements and shown the mayor and council that she cares not for consultation but only expediency.

### ORILLIA PERCH FESTIVAL

**Mr McLean:** The annual Orillia Perch Festival celebrates its 10th anniversary this year. Thousands of anglers, young and old, male and female, converge on the Sunshine City each year to test their fishing skills in the waters of Lake Simcoe and Lake Couchiching.

During the 10th anniversary edition of the Orillia and District Chamber of Commerce Perch Festival, which runs from 20 April to 11 May, avid anglers will be vying for more than \$125,000 worth of prize money. This year there will be 72 specifically tagged perch, each with a value of \$500, and those who reel in one of these tagged perch will be eligible for a \$10,000 grand prize.

I congratulate the Orillia and District Chamber of Commerce for organizing and sponsoring the perch festi-

val, which has continued to grow during its 10 years of existence. The annual event is an excellent example of how the people of Orillia are eager to promote our community in an atmosphere of fun and festivity.

I would like to take this opportunity to invite my colleagues in the provincial Legislature to come to the Sunshine City to do battle with the mighty fighting perch, one of the finest pan fish in all of Ontario. If members need more information, I urge them to call the Orillia and District Chamber of Commerce Perch Festival hotline, 705-326-4424.

### DAFFODIL DAY

**Mrs Mathysen:** Many of the members here will already know April is Cancer Month across Canada and Friday 5 April is Daffodil Day, the kickoff for the major annual fund-raising drive of the Canadian Cancer Society.

The Canadian Cancer Society is a national, community-based organization of volunteers whose mission is the eradication of cancer and improvement of the quality of life of people living with cancer. The society supports research into the causes and treatments of cancers and provides education programs designed to raise public awareness about the importance of prevention and early detection of this terrible disease. As well, the society has always been there for people living with cancer through its patient service programs, working to meet the social, emotional and psychological needs of cancer patients and their families.

On Friday and Saturday of this week, many of the 150,000 volunteers of the society in Ontario will be selling daffodils in public places throughout our province. As well, throughout April, door-to-door canvassers will be approaching people in their homes to raise funds for the important work of the Canadian Cancer Society.

There are many here in this chamber whose lives have been touched by this devastation among those near and dear to them: fellow workers, constituents, neighbours and family members. The daffodil which I wear today is a symbol of the hope which exists in many hearts that cancer can and will be beaten. The role played by the Canadian Cancer Society throughout Canada and in Ontario is an important one in this fight.

I know I am joined by my fellow caucus members in the Legislature today in wishing the Canadian Cancer Society all success with this year's drive.

**Mrs Fawcett:** I too believe that it is appropriate that we in this Legislature direct our attention to this pervasive disease of cancer, the second most frequent cause of death in Ontario. It is predicted that in Ontario over 40,000 new cancer cases will be reported this year. Even more frightening is the fact that the incidence of cancer is increasing at a rate of 4% each year.

The provincial government plays a pivotal role in cancer control and prevention. There is the obvious—funding for hospitals, health promotion and educational programs,



volunteer programs and research—and the less obvious—anti-workplace-smoking legislation to attack the most preventable causes of cancer.

Yet we are reminded today, and also by daffodils being sold by volunteers throughout the month of April, that 35% of all deaths in Ontario are cancer-related.

This simple fact has moved more than 150,000 volunteers from across Ontario to become involved with the Canadian Cancer Society. These individuals promote public education messages, raise funds and become involved in the emotional support and comfort of cancer patients. If ever there was a driving force behind an organization, these nameless, devoted thousands are it, and they deserve our thanks and support.

While cancer is still the second highest cause of death in Ontario, research has led to improvements in diagnosis and treatment and in survival rates. Statistics indicate that the overall survival rate of childhood leukaemia has increased by 60% since 1970. So there is hope. There is momentum in the research that is being done, and there are you and I, upon whom the continued success of this very important work depends.

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#### PROPERTY ASSESSMENT

**Mr Turnbull:** Last week the Minister of Revenue responded to a question about the reassessment presently occurring in the city of Toronto by saying it was strictly for the purpose of updating records and not for the imposition of market value reassessment.

I have in my hand a copy of the assessment form sent to all of the homes in North York. It states very clearly the purpose of this reassessment: "Metro Toronto council has requested a general reassessment to be implemented in 1992 for taxation in 1993."

Will the minister come clean and now admit that she either misled the House or did not understand the workings of her own department? Which is it?

This reassessment is costing the taxpayers of Toronto at least \$11 million and is directly related to the decision of Metro council to implement market value reassessment. The government has not yet announced the decision on whether it will support market value reassessment. As Mayor Eggleton recently said: "At best, they're squandering millions without a plan. At worst, they've made up their minds, but are pretending they haven't."

It appears there is a choice: incompetence or deviousness. Will the minister come forward and admit to this House just what her government is planning?

#### REST HOMES

**Mr Huget:** On 25 March receivers Ernst and Young announced that it had obtained permission of the Ontario Court to close Sarnia Lodge Rest Home. The closure will result in the forced relocation of 17 ill and handicapped residents.

Sarnia Lodge has been a target of complaints for more than a decade while passing through a series of owners. In August 1989 a doctor noted the "totally unacceptable" hy-

giene of an elderly, mentally handicapped resident he found with human faeces and maggots in her shoes.

The home's last owner, Ultra-Care Management of Peterborough, purchased the home in 1987 and was placed in receivership for unpaid debts in November 1990. At that time there were complaints about the hygiene and confinement of residents and workers complained of difficulty cashing paycheques.

On 13 March 1991, nine registered nursing assistants were notified their jobs would be terminated to cut costs, and they expressed concerns about unqualified staff dispensing medication. On 21 March 1991, Ernst and Young announced it would close the home and relocate the residents to whatever facility would accept them.

Vulnerable residents in this province deserve much better treatment than this, and I urge my government to proceed as quickly as possible with legislation to protect these and many other vulnerable citizens in Ontario. There must be standards and regulations for these homes, and I urge all members of this House to support the legislation when it is introduced.

#### AUTOMOBILE INSURANCE

**Mr Chiarelli:** Premier Bob Rae has failed to replace Johnny Carson's The Great Karnak as prime time jokester. The Premier has opened the envelope with the answer. It says, "Government-run automobile insurance." But the Premier fails the test. He cannot find the envelope with the question.

Is the question how to provide more affordable premiums? How to restore the right to sue? How to provide better service? How to increase benefits with no additional cost? How to displace 40,000 private sector employees? Or is it how to win an election?

Premier Karnak will not return to Johnny Carson's prime time until he can find the question to go with the answer, "Government-run auto insurance." Can the Premier tell us, what is the question?

#### DAFFODIL DAY

**Mr Eves:** It is my privilege to rise in the House today on behalf of our party to remind the people of Ontario that April is Cancer Month. Today is Daffodil Day. It is celebrated across Canada. We will be given the opportunity to show our support to the cancer society by purchasing and wearing daffodils.

The tradition of Daffodil Day began one spring day many years ago when a group of cancer society volunteers decorated the tables for a cancer tea with daffodils. The early spring blooms are a reminder of hope and renewed life. Today this tradition is supported by numerous volunteers in their fight against cancer.

This week we will be given the opportunity to support the Ontario Cancer Society by purchasing daffodils at subway stations, in the street and shopping malls this weekend.

I would also like to ask the members to support this worthwhile cause. Last year \$2 million was raised in the province of Ontario alone, and this year we are hoping to raise even more money. For those who are interested,



laffodils are available in front of the Legislature today between the hours of 1 and 3 pm.

I want to take this opportunity to suggest that all Ontarians support this very important battle against cancer.

I think I would be very remiss if I did not extend on behalf of my party, and probably all members of the Ontario Legislature, our sincere best wishes, hope and prayers for the member for Scarborough West for a full and speedy recovery.

#### VIOLENCE AGAINST WOMEN

**Mr Drainville:** I would like to draw the attention of my colleagues here in the Legislature to the efforts of a small band of women in my riding of Victoria-Haliburton who have been working to fight abuse against women in the county of Victoria.

In 1983 a group of women formed the Victoria County Women's Resource Services. Their mandate was to educate the public and help provide services for abused women. This is a volunteer group currently headed by a very capable and dedicated woman by the name of Ruth Martin.

Currently the one in eight women in Victoria county who are abused by their husbands or boyfriends trek as far as Peterborough to find shelter. With a focus on finding solutions for family violence, Victoria County Women's Resource Services has undertaken to purchase a home in a friendly residential area of Lindsay to provide a temporary home for 18 women and their families seeking shelter from abuse.

The group is renovating the home to hold 10 bedrooms and is actively fund-raising within the community. The group has worked hard to gain the support of the local community and local government, and it is my great privilege to commend them for their work in the community and to hope that many more communities in Ontario can help to educate and stop both wife and child abuse.

#### STATEMENTS BY THE MINISTRY

##### RACE RELATIONS

**Hon Ms Ziemba:** Today I rise to talk about anti-racism and our strategy. Racial tension is mounting in our society. One in 10 Ontario residents is a potential target of racism as a racial minority or an aboriginal person.

Our traditional approaches to combating racism have not worked. We have focused on relations between the races while overlooking the underlying bias in attitudes and institutional practices. The signs are clear. Too many aboriginal and black young people drop out of school, and there are barriers to public and social services.

We know that racism creates divisions between people. It excludes and marginalizes individuals and robs the community of economic potential by blocking access to opportunity. Racism hurts all Ontarians by frustrating the achievement of a fully productive and equitable society.

Our government has the political will to confront racism head on. As the throne speech proclaimed, "We know that to achieve our social and economic goals, we must strive to achieve access, equity and the protection of the rights of all members of our society." My portfolio as Min-

ister of Citizenship with responsibility for human rights, disability issues, senior citizens and race relations brings together the concerns of groups who have been isolated and left out. It is my job to provide leadership to achieve our government's equity objectives.

We will condemn racism in all its forms, both individual racism and the more subtle but pervasive systematic barriers that exclude people on the basis of their race. We will mobilize Ontario's people and all key sectors to combat racism. To do this, it is my pleasure to inform the House that our government is introducing an anti-racism strategy for Ontario. We are backing our commitment with nearly \$7.5 million in new money over a two-year period. This amount is a significant increase, doubling the current budget of the race relations directorate.

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The strategy will reflect a series of guiding principles. These guiding principles will inspire all our efforts. They are as follows:

1. Ontario recognizes and respects the unique identity of aboriginal peoples and the need for a distinct approach to anti-racism measures for aboriginal people. We will be guided by the first nations in formulating a unique anti-racism policy.

2. Ontario government ministries, their agencies, boards and commissions must take an active leadership role in combating racism.

3. All government services must recognize the racial diversity of Ontario and take this into account in the design and delivery of programs.

4. Ontario is committed to developing a new co-operative relationship with local government, community groups, labour, non-profit agencies, the broader public sector and business in recognition of the need for shared responsibility and joint leadership in combating racism.

5. Ontario is committed to anti-racism initiatives that are open and inclusive, that reach out to diverse communities and advocate an effective voice for those who have been not heard.

Our anti-racism strategy has five components.

As the first element in our strategy, we will develop and implement an Ontario anti-racism policy to replace the Ontario policy on race relations. The existing policy, based on the rather vague concept of race relations, fails to address the hard reality of racism. It also lacks implementation guidelines. The anti-racism policy will allow our government to renew the vision and strengthen the commitment to combating racism through concrete action.

Second, we will develop a mandatory Ontario public sector anti-racism strategy covering all ministries and their agencies, boards and commissions. This government-wide strategy will show our determination to lead by example. It will require all provincial government organizations to take specific initiatives and be held accountable for combating racism.

Third, the government will consult community groups and work with ministries, their agencies, boards and commissions to ensure that all new and existing policies, programs and legislations comply with the new anti-racism policy. The new Police Services Act, proclaimed recently,



illustrates the potential that legislation has a positive impact on the racial climate. We will follow closely the effectiveness of this legislation and its impact in our communities. We will seek more ideas and public input on how policies, programs and laws should be reformed.

Fourth, we are establishing the Ontario anti-racism secretariat as a strong advocacy body to spearhead the fight against racism both within and outside the government. The secretariat will be created by restructuring and enhancing the race relations directorate. The new organization will carry out crucial policy development, research and evaluation roles. It will provide both consulting advice and financial assistance to help various sectors plan and implement anti-racism programs. It will organize anti-racism public education initiatives to change attitudes.

Finally, we will appoint the Ontario Anti-Racism Advisory Group to provide ongoing input on the progress of the anti-racism strategy over the next two years. This volunteer group will include strong community representation, plus members from the private and broader public sectors.

It is important to underline that the anti-racism strategy for Ontario will complement the legislated employment equity program to be developed by the employment equity commissioner. While the commissioner will deal exclusively with workplace discrimination, the anti-racism strategy will address racism in all sectors of our society. The strategy that we are announcing today will focus on such issues as bias in the school curriculum, discrimination in the provision of services and stereotypes in the media. The anti-racism strategy, like employment equity, represents a commitment to access, equality and full participation.

I also want to stress that we plan to take a sectoral approach in implementing the anti-racism strategy; that is, initiatives will be tailored to meet specific needs in the public sector, the community, the private sector and the broader public sector. Let me briefly describe some key priorities.

In the public sector, our goal is to ensure access and equity in the provision of government services. The Ontario anti-racism secretariat will consult widely across the public service, both unions and management, in preparing the Ontario public sector anti-racism strategy I mentioned earlier.

In the community we will, for the first time, provide core funding to community-based groups so they can plan and operate anti-racism programs. A stable financial base will enable these local organizations to concentrate on advocating for people who have been excluded from existing programs and services. We want to strengthen these community groups so they can work with government in a more meaningful way in planning policies and programs. Our aim is to provide a voice for those who have been forgotten.

In the private sector, we plan to encourage employer associations and unions to reduce systemic discrimination through organizational change. We will fund demonstration projects for this purpose.

Finally, in the broader public sector we intend to work with municipalities, hospitals, school boards, colleges and universities and their related ministries. We ask everyone

in today. In conclusion, racism is not a partisan issue, is not an issue that we must take lightly. This is an issue for which we must all share responsibility to build a future where racism is no longer tolerated or condoned.

#### ASSISTANCE TO FARMERS

**Hon Mr Buchanan:** I rise to inform the members of the House of a new initiative my government has undertaken for the farmers of Ontario.

Ontario farmers have been labouring under the burden of difficult economic times. Projections for 1991 indicate a worsening financial situation, with net farm income declining substantially and continuing high real interest rates.

The seriousness of the farm economy situation and the need for immediate action to provide relief were made clear in the report of the agricultural finance review committee. As members will recall, the agricultural finance review committee, chaired by my colleague the member for Essex-Kent, was appointed in October, shortly after we formed the government. The committee consulted farmers and agricultural organizations across the province to find solutions to farm finance problems.

A key recommendation of the committee's report was the need for immediate, targeted provincial interest assistance to help farmers who are most in need. The report recommended that a targeted financial relief program be initiated to help farm families cope with current economic conditions. Such a program would help offset high interest rates paid by farmers and provide bridging to reduce cash flow pressures in 1991. I am pleased to report that the Ministry of Agriculture and Food and this government are proceeding with a \$50-million, one-year farm interest assistance program that will provide an immediate financial cushion for Ontario farmers in financial need.

Although the implementation of the gross revenue insurance safety net program is expected to improve the stability of future farm incomes, the benefits of the gross revenue insurance program will not be realized until 1992. Consequently, Ontario farms could be left unprotected from real high interest rates, resulting in further decline of the financial position of Ontario's farm and rural communities. The new program will provide immediate short-term assistance while the ministry considers long-term financial credit options for farmers.

The 1991 farm interest assistance program is targeted at farms in need of financial assistance as determined by all positive sources of income. It will offer grants of up to \$8,000 for farms operated by an individual owner and up to \$12,000 for farms with one or more owners.

I realize it has been the custom of previous governments to announce financial programs for farmers as part of the provincial budget. However, the Premier and my cabinet colleagues recognize that Ontario farmers will be making decisions for spring planting very soon. In order for them to make the best use of this program and in order to restore some security to their enterprise, we are pleased to make this announcement today.



## RESPONSES

## RACE RELATIONS

**Mr Curling:** It is important of course that we address the concern about racism in our society. Recently we saw the International Day for the Elimination of Racial Discrimination in our society. The strengths, as I read and listened to the minister, are strengths within her statement here. The announcement of the increased stature of the secretariat I am very happy about and the independent capacity that she has placed on that secretariat will of course assist in bringing more clout to counter the racist aspect of our society today.

I have noticed too that the minister has put more money there to give resources for the policymaking process. We have a lot of talk about racism and I hope that this government will not only talk about racism, but do something about it. We also know that concern about racism should cross party lines. Too often we have taken ownership of it by party lines and decided that we are the only persons who can deliver the aspect of eliminating racism. I hope that we do not do that.

Again, as we have this wonderful statement here, there are many other areas that have not been addressed. Areas like the Ombudsman area that need a lot of support have not been addressed. It will never make any difference at all with the \$7.5-million secretariat that we have here. The Ontario Human Rights Commission: With the tremendous backlog that is there, people are discouraged and feel they should not bring their case to the Ontario Human Rights Commission or to the race relations directorate. People must feel that they have access to these people and that they can be dealt with.

Today, for instance, I was with the standing committee on the Ombudsman and in about 10 minutes or 15 minutes it was adjourned. It is an indication of how seriously the government and all of us must take this other committee. I was appalled to see the behaviour there.

These are small indications that tell us that \$7.5 million, \$10 million or \$15 million will not solve racism. It is a collective effort to wipe it out of our society. The opposition here, the party here, is in strong support of eliminating racism and making sure that racism does not exist in our society, and of giving access to people who want to be a part of this society. I am glad that the aboriginal people have been recognized and that we can now look forward to seeing that we can address this very, grave issue.

## ASSISTANCE TO FARMERS

**Mr Cleary:** I am glad to see that the opposition questions in the House have provoked a timely agricultural announcement, and I am glad that the announcement clarifies a similar announcement that the member for Essex-Kent seemed to have made a few weeks ago. When asked by our leader the member for Brant-Haldimand about the need for the program two weeks ago, the Premier told the House that any new agricultural program would be announced at the time of the budget, which seemed to be different from the statement of the Provincial Auditor.

Under repeated questioning the Premier changed his tune in saying the funding would come soon. We are glad to see that today is the day.

Farmers will be concerned, however, that the application for the program will not be available until late May, another two months from now. I would therefore like to call upon the minister to do everything he can to ensure that the program is administered quickly and the cheques get out promptly. As it is now, farmers probably will not get any real cheques until late summer at the earliest.

This is the first real announcement for funding that this minister has made since he took office. It is important to note that while we support this announcement, the government funding announcement today shows how successful the Ontario family farm interest rate reduction program that the Liberal government had was. There may be some changes, but the interest rate assistance is a package of OFFIRR by another name, and I would not be surprised if the farm community calls it OFFIRR.

The minister will be aware that pre-budget submissions of the Ontario Federation of Agriculture, which will be meeting with the cabinet later this afternoon, called on the NDP to introduce an OFFIRR-type interest rate program. It is important to note that the announcement falls far short of the government's \$100-million election promise.

The minister mentioned the new federal safety net program in his statement, but he will not mention why the government is refusing to implement the municipal-industrial strategy for abatement this year. The minister will know that the federation of agriculture has told the government that it is important that we implement MISA this year.

The Liberal government allocated over \$30 million in interest rate assistance during the five years, and the party will continue to pressure the government to live up to its responsibilities to provide direct assistance support to agriculture and not force the burden on to cash-strapped farm communities.

**Mr Villeneuve:** I too want to say thank you to the Minister of Agriculture and Food because—

[Applause]

**Mr Villeneuve:** Don't get carried away on the government benches. Now, don't get carried away.

I want to welcome the federation of agriculture here and I want to tell them to come back every week, really. If this is what it takes—great. However, all joking aside, agriculture is facing some of the most difficult times it has ever faced. We have less than 3% of the population out in rural Ontario providing us with all of the food that we take for granted. We have the same people tightening their belts, with reduced net income for the seventh year in a row. Yes, \$100 million was promised by the Premier and his government in the small paper called—

**An hon member:** The agenda for power.

**Mr Villeneuve:** The agenda for power. Yes, we forget about that. We tend to forget. However, the agenda for power said \$100 million. He has fulfilled the first recommendation in the report of the member for Essex-Kent, the



first one. We have six more to do, and certainly there is only \$50 million left.

Farmers, when they have the money, will spend. When farmers spend money, it has a ripple effect on the economy of times seven. So the Premier should give \$50 million to the agricultural community, he should multiply that by seven, and the people in small-town rural Ontario will be the ones to benefit. It is not a handout. It is something that was well earned by the agricultural community.

Agriculture faced the most difficult time ever last year with interest rates well up into the teens and yet with reduced income. I hope the GATT negotiations work because if they do not, the minister had better get ready to provide a lot more money to our agricultural community or else we will have closed the barn and farm door. That would be terrible because agriculture is the most basic industry of this province, and we very often take it for granted.

We are looking for a little more funding and support for agriculture. The minister should remember that we need a strong voice. We have the federation of agriculture here today, and it could well be the strong voice to lobby for those people out in rural Ontario who are very often too busy providing food, providing all of those things that we take for granted. I thank the minister for this announcement, and I look for more from him in the near future. It is planting time, and farmers do need that support. Let the minister send them a good message.

1410

#### RACE RELATIONS

**Mr Cousens:** On behalf of the Progressive Conservative caucus and our leader, the member for Nipissing, I too would like to endorse a strong anti-racism strategy for Ontario. This is something indeed that all of us from across this House and across this province have to have a strong commitment to: equality for all people.

The statement today by the minister responsible for race relations reflects something of the genuine and deep concern that we all must feel and exhibit in our actions and deeds. We have to break down the walls that people build around their small communities so that everyone can begin to understand each other, for who they are, what they are, and what they can contribute to our society. Where their needs are real, we can then do something to help solve them, and do it through the educational system as the minister suggests so that we start with our young people and build it up throughout.

I am concerned that, as a ministry and as a government, when the minister starts to talk about it being a non-partisan issue, he has a chance here when he sets up his anti-racism advisory group to include Liberals and Conservatives and people from other parties. I think other ministries in the government are continuing to just put in their favourite people. Let's open it up so that everyone from the province participates.

The Ontario Human Rights Commission: I have the results here of the failure as a government. When one looks at the fact that it takes 13 months to resolve a case right now, on average, before the Ontario Human Rights

Commission, that is something this government should deal with. The minister cannot stand in the House and say he is solving a racial problem when he has something like 2,950 complaints waiting to be processed. Therefore, the government has to act on that.

The next thing which is also shameful is that when the minister talks about money being put into it, he is transferring money from one pot into the other pot. I am not convinced that this is new money he is allocating today. If it were, it would be worth announcing afresh.

#### ORAL QUESTIONS

##### GARBAGE DISPOSAL

**Mrs Sullivan:** My question is for the Minister of the Environment. Yesterday the minister made a third statement in a series of what we see as piecemeal and disconnected announcements about the way she is dealing with the garbage crisis in Ontario. The minister said unequivocally that regions within the greater Toronto area would not be permitted to ship their waste outside of the GTA boundaries. As a result of this announcement, confusion reigns.

Can the minister clarify for the House whether this is a province-wide policy, or does the policy just apply to the GTA? In other words, should Storrington scrap its contract to ship its waste to West Carleton? Should Kingston stop its search for a site outside its region? Many municipalities across the province are looking for a clarification. Will the minister answer in a straightforward and unequivocal way, does this policy, restricting the shipping of waste outside municipal boundaries, apply to all municipalities in Ontario?

**Hon Mrs Grier:** The statement that I made yesterday, which the member describes as piecemeal, reflects the steady progress of this government towards an integrated waste management approach. What we have done is dealt with waste reduction and reuse, and I made a statement in this House to that effect. We are looking at the Environmental Assessment Act, and yesterday my statement was made in my capacity as minister responsible for the greater Toronto area. That statement reflects on the decision of this government to put in place a waste management public authority that would be responsible for finding disposal sites within the GTA for the residue that is left over after there is serious reduction and reuse and composting of the waste.

**Mr Offer:** The minister should be aware, and I verified this as of last week, that the Britannia landfill site will be at capacity this December. I have in my possession a copy of an order in council dated 27 March which froze all development around the landfill site. The minister has indicated there is to be a public authority that is not yet in place. There are to be guidelines, which none of us have ever seen. The Britannia landfill site will be at capacity this December. The minister has frozen development around the site. Her legislation, regulation, criterion, whatever she wishes to call it, is not yet in place. These facts add up. The obvious answer is that she intends to use her emergency power to expand the Britannia landfill site.



My question is whether the minister will make a commitment today not only to the residents of Mississauga North in my riding, where the site is located, but indeed to all of the people in the region of Peel, that before she exercises her emergency powers in expanding the Britannia landfill site, it will be done with full public consultation and under an environmental assessment hearing.

**Hon Mrs Grier:** I would like to make a distinction between the long-term solution to the GTA waste crisis issue that I addressed yesterday and the very immediate problems we are facing and in fact have known about for many years with respect to the imminent closure of sites such as the Britannia Road site. The approach of this government is going to be as aggressive as possible with the 3Rs and to reduce the amount of garbage, in the expectation that we will have a long-term site available as soon as all of the existing sites within the GTA are completed. But in recognition of the fact that there may be a brief shortfall, I indicated yesterday that I have asked my ministry to examine all possible alternatives for meeting that shortfall. When that examination has been completed, I will be more than happy to share it with the member.

**Mr Sorbara:** Part of the minister's announcement yesterday indicated that without study, without environmental assessment, without one shred of supporting evidence, the garbage from three million people in Metropolitan Toronto is going to be dumped in York region. She said that this morning on Metro Morning. She said she made that decision because York region had entered into a tentative partnership with Metropolitan Toronto to consider the prospect of disposing garbage in Kirkland Lake, and on that basis she said the long-term solution to Metropolitan Toronto's garbage problems shall be in York region.

I have two parts to my supplementary question. First, given that the minister would not propose to dump garbage in the southern part of York region, which is as urbanized as the riding of Etobicoke-Lakeshore, and given that she would not want to expand the Keele Valley landfill site because that site sits right on the headwaters of the Don River, and given that she supports the freeze of development in the Oak Ridges moraine, which is a very sensitive environmental site, and given that she would not want to put that garbage in the water basin of Lake Simcoe—I have just described for the minister all of York region—what site does she propose to choose arbitrarily to dispose of Metro Toronto's garbage?

Second, what studies did the minister undertake, or what environmental assessment did she do, in order to decide that it should be York region and not Durham or Peel, and will she table those studies in this House? If she cannot table those studies, will she admit to this House that her decision to choose York region was entirely political?

**Hon Mrs Grier:** The member seems to misunderstand the way in which the environmental assessment process works. The public authority that is going to be established will set in place environmental criteria and screening criteria, just as any other proponent of a landfill site does, and on the basis of those criteria, sites will be

selected. Those sites will be subject to an environmental assessment process. The decision as to the acceptability of those sites will be made by the Environmental Assessment Board, and I can assure the member that all of the studies, all of the options and all of the participation available to anybody under the Environmental Assessment Act will be available to him and to the residents of York region as we go through that process.

1420

## SMALL BUSINESS

**Mrs Caplan:** My question is for the Minister of Industry, Trade and Technology who, as we all know, has responsibility for small business advocacy as part of his responsibility in this province. The issue I would like him to address today is the issue of cross-border shopping, which recently has reached crisis proportions in the border communities right across this province.

Losses in Ontario this year for small businesses are estimated in the \$600-million-a-year range, and it is expected to increase this year—and these are reports by the minister's own staff—by 25% to 30% in 1990 alone. These are his own ministry's estimates. The answers we have been hearing from the Premier and from the Treasurer are meetings and studies and talk. From the small business advocate in this province, the Minister of Industry, Trade and Technology, we need action.

I would ask the minister today if he is going to turn his back on the people of this province who need jobs, the municipalities that need assessments, whose economies are draining away across the border, I would ask him a very specific question and I would like a time-line answer: When will he do something for the small mom-and-pop operations in the border communities across this province that are bearing the brunt of this serious, serious issue?

**Hon Mr Pilkey:** Of course I as minister would not and nor would this government ever turn its back on small business or any business in this province. I might cite for the member as evidence of that claim—

**Mrs Caplan:** When are you going to do something?

**Mr Sorbara:** You are a disgrace to the ministry.

**Hon Mr Pilkey:** I can appreciate that the members opposite do not wish to hear these facts, because they probably did not do too great a job when they had the portfolios. None the less, the Ministry of Industry, Trade and Technology has provided some \$25,000 to fund development of a marketing framework to help small business, particularly in relation to cross-border shopping.

We have met with representatives of many communities, Cornwall, Fort Erie, Kingston, Niagara Falls, St Catharines, Sarnia, Sault Ste Marie, Thunder Bay and Windsor, in consultations to help these border communities in the problems they face. There were recommendations that have come out of those meetings, and their representatives have in fact appeared before the standing committee on finance and economic affairs and have brought forward recommendations.

I can assure the member that this ministry, which has been very active and very supportive by way of funding,



will continue to pursue these concerns to try to better the circumstance for all border communities in this province.

**Mr Cleary:** The Premier promised during the election campaign to bring in low-interest loans for small business. I am proud to state that businesses in my riding have started offering a low-interest loan program to keep local consumers' dollars in our community. However, figures already reveal a 20% unemployment rate in the Cornwall area. Clearly, we must improve the economic health of our community and increase the employment opportunities in our workforce.

The Minister for Industry, Trade and Technology must act today before one more business closes in my riding. Will he bring forward the Premier's election promise to help merchants in my riding and all cross-border communities with low-interest loans?

**Hon Mr Pilkey:** The Ministry of Industry, Trade and Technology, through the Ontario Development Corp, entertains many, many companies that are seeking assistance in terms of loan guarantees or outright loans. I will not repeat the information I have just given to the previous questioner, although all of that is in fact quite factual.

**Mr Scott:** That's what you say to win elections; it has nothing to do with your policies now.

**Hon Mr Pilkey:** That is an interesting point of view; it does not happen to be correct. But I think I have responded very accurately in regard to the active response of this government and of this ministry by co-operating with those border communities and, as indicated earlier, we will continue to do so to aid those businesses in any way we reasonably can.

**The Speaker:** Final supplementary, the member for Essex South.

**Mr Scott:** You won that election; now perform. Do what you promised the people you would do.

**Mr Mancini:** Mr Speaker, we have—

**Mr Scott:** Perform. You are the government.

**Mr Sorbara:** Allan Pilkey has not made one minister's statement in this House. He's been here six months and he has not said a thing.

**Mr Scott:** You have got all the levers of power. Now use them or get out of here.

**The Speaker:** You are going to have to shout over the top of your colleagues.

Interjections.

**Mr Mancini:** Mr Speaker, we have here in Ontario—

**The Speaker:** The member for Essex South, just a moment.

One of your colleagues has been waiting patiently to place a question. He cannot do so unless his own members of his own caucus stop providing interference for him.

**Mr Scott:** My frustration at the unwillingness of this government to respond to its promises is causing me to—

**The Speaker:** Whatever frustrations members may feel have nothing to do with the orders and procedures of this House. When order has been restored, then the member for Essex South will have the floor.

**Mr Mancini:** Across the floor from us, we have one of the most anti-small-business governments in the history of Ontario. We have a Minister of Labour who wants to raise the minimum wage to over \$9 an hour; that will help small business. We have a Minister of Colleges and Universities who does not have the backbone to cancel a course on American shopping habits for Canadians. We have a Minister of Energy who said in the Legislature that gasoline prices were not high enough for the corporate barons who run the energy corporations.

Yesterday, the Minister of Health was referred to as Dr Do-Little. The Minister of Industry, Trade and Technology is Dr Do-Nothing. We have a situation in Windsor and Essex county where the Windsor Chamber of Commerce estimates 1,000 jobs will be lost in 1990 alone due to—

Interjections.

**Mr Mancini:** Mr Speaker, I did not stop.

**The Speaker:** Maybe you should have. Would the member just take a seat for a moment? The member for Essex South knows full well that ample preamble to this question has been given. Would he please succinctly place his supplementary?

**Mr Mancini:** I was moving right into that supplementary, but I just wanted to remind the Premier of what his ministers have been saying.

What is wrong with the Tories today? Is something wrong with the Tories today? The Windsor Chamber of Commerce has estimated we will lose 1,000 jobs this year alone due to cross-border shopping. High taxes are one of the problems. Will the Minister of Industry, Trade and Technology make some kind of commitment to lower the sales tax, lower the gasoline tax, or do both?

**Hon Mr Pilkey:** We cannot do those things that are not in our power. Those things that we can do, we are doing, have done and will continue to do to address this situation.

1430

#### GARBAGE DISPOSAL

**Mr Cousens:** Yesterday, the honeymoon ended for the New Democratic government. I have a question for the Minister of the Environment. It relates to her statement yesterday.

In opposition, the minister and her party were strongly opposed to any shortcuts or exemptions under the Environmental Assessment Act for proposed landfill sites. On 20 November the minister told this House that her plan to deal with the waste management crisis included the establishment of a new public sector authority to search for and select the waste disposal site. However, in the meantime, the minister also admitted that she did not rule out using her emergency powers under the act to bypass full assessment hearings on expanding existing sites if necessary.

Yesterday in her statement we learned that an interim site search team has been directed to find not one but three landfill sites within the GTA, with search and environmental screening criteria to be announced at a later date. Who is setting the environmental agenda for this government? First, she is opposed to environmental exemptions, next



she has a phantom garbage authority looking for a long-term site under a full environmental assessment, and then she says she might use her emergency powers to extend existing sites. Now we have an interim committee looking at three sites only in the GTA that may or may not face full environmental assessments.

When will this minister come clean with the people of this province and tell them what really is on her agenda? Just what has changed over the last six months, or over the last five years?

**Hon Mrs Grier:** I will try to make it as clear and as simple and as straightforward as I can. Nothing has changed over the past six months. In November I announced that this government's waste management situation would be that we would move aggressively on waste production. We have done that. I said we would examine the Environmental Assessment Act and the process by which municipalities and proponents right across the province go through environmental assessments. We are doing that. I said I would set up a public authority to find a long-term disposal site for waste within the GTA, and yesterday I announced further details of that. It is entirely consistent and follows in rapid succession from my announcement last November.

**Mr Cousens:** The Ministry of the Environment has become a three-ring circus. The minister is the juggler and it is a juggling act between the province, the regions and the municipalities and she dropped the ball.

I would like to share with the minister some quotes from the Toronto Star today. One notable reaction to the minister's announcement is from Councillor Dale Martin, a prominent member of the New Democratic Party caucus in Metro, and Mr Martin—it is the first time I have ever quoted from the man—states: "This is totally unworkable. It's not based on reality. It's politics." I would like—

**An hon member:** New Democratic Party politics.

**Mr Cousens:** That is what he said, and it was the Toronto Star that said it too.

I would also like to refer the honourable minister to another article from last December regarding the deal which Metro Toronto had signed to ship 30 million tonnes of garbage to the Adams mine site in Kirkland Lake. It stated: "In a letter to Metro council, Environment Minister Ruth Grier encouraged Metro to go for the Kirkland Lake deal and use its reserve funds—now sitting at more than \$200 million—to secure rights to this site."

Who is setting the policy for her government? Why did she support the arrangement in December and four months later turn it around and tell the House, "Oh, the impact on a remote community of disposing of refuse from four million people is unthinkable." Why is it she has turned it around so fast?

**Hon Mrs Grier:** I do not know which of the mixed metaphors to address first, but let me just say that perhaps the member is correct when he says waste disposal has in the past been politics. The difference is that under this government waste disposal and waste management policies are environmental. That is the difference, and that is the basis for my decisions.

**Mr Cousens:** The minister had better go and have a little private chat with Mr Martin. He is one of her friends. The fact is, he is the one who accused the minister of playing politics. I am saying she is just proving again that this is not question period; it sure is not an answer period because we do not get answers to our questions.

My final supplementary centres on a statement by Chairman Frank Bean of Peel region in response to the minister's latest declaration that the GTA must be responsible for its own garbage. He said: "Good luck, lady. Where are you going to look?" I would like to ask the minister the same question: Where is she going to look when in fact she has got this alias interim site selection team going around looking for a place? Why do I not answer the question for her? She has not solved the problem at all. She will not admit but I am sure she has every intention of expanding Keele Valley; she is going to expand Britannia in Brampton; she is going to develop Whitevale in Durham, and she is going to do it without a full environmental assessment. Will she deny that now?

**Hon Mrs Grier:** I did not take this decision expecting the people who had made a commitment to ship Metro's waste to some part of rural Ontario to be happy with the fact that I had said they had to be responsible for their own waste. For everyone the member can quote, who is unhappy with my decision, I can perhaps quote back to him, from Pollution Probe, from Northwatch, from environmental groups in Kirkland Lake, in New Liskeard, in North Bay and in Timiskaming that feel the decision this government made yesterday was the most appropriate decision for the environment. That is what matters.

**Mrs Marland:** My question is to the minister responsible for the greater Toronto area and the Minister of the Environment. I am embarrassed that the minister would stand in this House a few minutes ago and refer to municipalities shipping their garbage away from their local jurisdiction as an example that she just gave in response to the member for Markham.

The minister knows full well that in the region of Peel, the Britannia site, which is located in Mississauga, never discussed shipping its garbage out of the region of Peel and if anybody must know that, the minister should. She said a few moments ago that she wants to give a very clear, simple and straightforward answer. I am going to give her a very clear, simple and straightforward question. On any of the sites that she is considering as an option, will she submit them to a full environmental assessment?

**Hon Mrs Grier:** Yes, the long-term site for disposal of residues within the GTA will be subject to an environmental assessment.

**An hon member:** Ask it again.

Interjections.

**Mrs Marland:** She has answered it. The minister has given us the answer. She is only going to submit the long-term sites to a full environmental assessment. That is the answer we feared; now we know the truth. We know these interim sites will not be subjected to a full environmental assessment, and that is even worse news than her announcement yesterday.



The answer is out now and when this minister talks about reduction and reuse, I think it is time we came out of the darkness, into the light and realized this is not Alice in Wonderland; this is the real world. I never thought I would stand in this House and praise the former minister, the member for St Catharines, but I want to tell the minister that the decision she has made in terms of waste management is a decision he could have made five years ago. He chose not to make it five years ago because he was not going to cop out on a responsibility as he saw it, a responsibility that the minister was concerned about at the time when she was on this side of the House. I cannot believe the minister changed her mind.

I will ask her to assure the people who surround any of the interim sites in the greater Toronto area that they will have protection. She said yesterday that her announcement was made in an environmentally sound manner. Can she tell this House today how an environmentally sound manner exempts sites from full environmental assessment?

1440

**Hon Mrs Grier:** I am having some difficulty understanding the premise of the question. The Britannia Road site, if that is the one to which the member for Mississauga South is referring, is an existing landfill site that has been in operation for many years. The policies that I announced in November, the policies that I repeated yesterday, are that by reducing and reusing and recycling we will extend the life of that landfill and of other existing landfills as long as we possibly can. We will move with the public authority to find a long-term site that will then accept the waste when those other sites are closed. That is the policy. That was the policy in November, and that is the policy of this government.

**Mrs Marland:** For six years I shared the responsibility with this member, in opposition, for protecting the environment. We cannot believe that this member, now that she is in the government, is being so totally irresponsible. I would go as far as to say that the minister's answers in this House, following on her statement yesterday, are a betrayal of the confidence of the people of this province in her as an environmentalist.

I simply say to the minister that we can make this as clear and simple and straightforward as she seems to want it. She has been in this House, in opposition, opposed to the extension of the Britannia landfill site and to approving the Whitevale site and the extension of Peel and Brock because none of those sites, in her own words, were approved originally under a full environmental assessment. The minister has said to the former minister that she would be opposed to any expansion without a full environmental assessment. How is it that the minister could be so opposed to expanding existing sites that were approved under the EPA now without a full EAA? How can the minister possibly do such a complete, 180-degree-turn reversal?

**Hon Mrs Grier:** I really regret that those sites were approved without a full environmental assessment, and I suspect it was the member's party which was in power at the time that they were in fact approved. The member says this is not an environmentally supportive decision. Let me

refer her to the release today of Pollution Probe which says, "Environmental groups have earned a victory with yesterday's announcement by Environment Minister Ruth Grier."

It is not my intention to extend the use of any site that I do not have to extend the use of. It is my intention to make sure we reduce our garbage to such an extent that we can then have a long-term site.

**Mrs Marland:** It's Alice in Wonderland.

**Hon Mrs Grier:** The member says it is Alice in Wonderland. I say to the member she knows the extent of the crisis that has been created in the greater Toronto area, and I think it would be more environmentally responsible for the member to help find a solution to the problem rather than to merely criticize the solutions that I have put forward.

#### EDUCATION FINANCING

**Mr Beer:** My question is for the Treasurer. Last week the Leader of the Opposition asked the Treasurer a very specific question about what the government includes as part of the provincial commitment, indeed of the election promise that this government made, to pay 60% of the costs of education in the province. In reading over the Hansard of the Treasurer's answer, unfortunately the Treasurer did not answer the question. I think it is of great importance, when school boards across the province are now trying to set their budgets, that we have a clear statement from the Treasurer as to what the provincial educational funding policy is.

I would like to ask the Treasurer if he would tell this House, in terms of the 60% solution, if the government of Ontario not only includes the general legislative grants, the operating grants that have traditionally been used for that figure, but if the province of Ontario now has unilaterally decided to add to the general operating grants those moneys that are spent for educational capital and those dollars that are provided to the provincial teachers' pension plan. Will the Treasurer state specifically what is included in the 60%?

**Hon Mr Laughren:** When we made the transfer announcements to the school boards earlier this year, we increased the amount of transfers by, as I recall, 7.9%, considerably above the rate of inflation. We felt then and I feel now that that was the most we could possibly do.

**Mr Mahoney:** That wasn't the question.

**Hon Mr Laughren:** I thought the member was seeking an answer.

If one breaks it down in the traditional way, as to what percentage of the cost of education is paid for locally versus provincially, we made no change whatsoever when we computed the percentage that we are now paying for the cost of local education. We have not at this point in time altered at all what makes up the 40% that is paid for by the province roughly versus the 60% that is paid for at the local level.

Interjection.

**Hon Mr Laughren:** I said approximately; a little more than 40%. I think the member is anticipating something that simply has not happened, namely, a reconfiguration of the



components of what goes into the provincial share of the cost of education in the province.

**Mr Beer:** This is an absolutely incredible response from the Treasurer. Perhaps he would like to pick up and read the testimony that was given before the standing committee on finance and economic affairs, where the Minister of Education said not only did the 60% figure include the dollars that the government spends on educational capital and the money that it provides to the teachers' pension plan but that was always the understanding that she had, even during the election when the commitment was made.

The Treasurer would know full well that if anyone in the previous government had tried an answer like that, it would have been deemed to be unacceptable. So we are left with a situation where the educational community and the property taxpayers have no idea of what the province's policy is with respect to 60%.

Let me try to help the Treasurer with some approaches and solutions, because if he does not know what 60% means, we have got to find out and we have got to find out quickly. Last year the select committee on education in its third report presented a clear approach to solving this problem. They set out a time frame of some eight months. Most recently, the advisory committee to the Minister of Municipal Affairs, the Hopcroft committee, presented its proposals and said that it supported fully the recommendations from the select committee, which, as the Treasurer will remember, had members from the New Democratic Party. It was a unanimous report and indeed included the present Minister of Municipal Affairs.

My question to the Treasurer is, will he fast-track the issue of educational financing to his NDP tax commission and direct that it take the select committee's proposal and come back to him in time so that before the 1992 budget he will be able to bring in real changes to the split between the provincial share and that which is laid on the local property taxpayer and clarify so people understand fully what he means by 60%?

**Hon Mr Laughren:** First of all, I think the member would acknowledge the fact that we have made a commitment, that we are not backing down from our commitment to provide quality education in the province of Ontario. As well, I think it is fair to say that we do intend to increase the component of the cost of education that is paid for at the provincial level as opposed to the local property taxpayer. I think, however, that it would serve no purpose to try to disguise what goes into the 60% versus the 40%.

1450

**Mr Mahoney:** Why are you doing it then?

**Hon Mr Laughren:** We are not going to fool anybody if we suddenly change the rules of the game. Nobody is attempting to fool anybody. The taxpayers in the province of Ontario are not stupid. They know full well that if somebody tries to change the name of the game simply by changing what goes into one percentage versus the other, there is only one group of taxpayers in the province of Ontario and that is them, so we are not attempting to fool anybody. If and when the numbers are computed in a different way, we will be very straightforward, we will be very up front with the people and say: "This is what used to go into the numbers on 40% versus

60%. This is what now goes into the numbers on 60% versus 40%."

#### ASSISTANCE TO FARMERS

**Mr Villeneuve:** My question is to the Minister of Agriculture and Food. I am sure the minister is aware that the Ontario Federation of Agriculture is here today and I am sure he is also aware that in the last five years the spending on Ontario agriculture as a percentage of the agricultural provincial product has gone down considerably and it is still slipping. The gap has more than doubled since 1985.

This government talks about a level playing field, but it does not exist in agriculture. Our support level is at 18.1% as opposed to, as an example, in Quebec where it is almost double at 34%. The national average is at 23.4% of the gross product value. Does the minister and his government intend to let this situation continue and let farmers really fall behind all the rest of society, as they have in the last five years?

**Hon Mr Buchanan:** No, we do not intend to let the farmers fall behind. I would remind the member that we have participated with the federal government in the gross revenue insurance plan, which was some \$39 million, and we have today announced a \$50-million program which brings it up to close to \$90 million that we are putting into the farm community from the provincial Treasury. We in this government are committed to working with farmers and assisting wherever possible. We will continue to do so in the future.

**Mr Villeneuve:** I want to make sure that not only the minister but all cabinet members, and indeed all the members of government, know that the spending on agriculture is about 50% of the amount of money that comes in, for example, from the tobacco tax, which is directly from agriculture. The government's spending on agriculture is 50% the amount of money that it takes in on the tobacco tax.

I want to cite an example: In 1987 the Alberta government kept its canola crushing plant open. However, here in Ontario, right here in downtown Toronto, Central Soya has announced the closure of all its crushing facilities here in Toronto. What does the minister propose to do for the 25,000 soybean growers in the province who actually generate the second-largest income crop from soybeans? What does the minister intend to do for them now that these crushing facilities are closed down?

**Hon Mr Buchanan:** We are consulting with farmers and with the companies. But I would like to point out to the member that the plant in Toronto, as I understand, closed because profits were not sufficient. It was not a matter of losing money, as I understand. They were not getting the return on the investment that they wanted. It is very difficult for a government to respond when a company closes down on that basis. We are concerned about the soybean growers and we will respond and assist wherever we can, given the financial situation that we are in.

#### CROSS-BORDER SHOPPING

**Mr Dadamo:** I would like to ask a question of the Solicitor General. On average, Windsorites spend in the neighbourhood of some \$3 million a week in the state of Michigan, and as much as \$69 million annually. Windsor Star reporter Richard Brennan made this known to people



in Windsor in an article last week. Plus, for every \$100,000 spent in the United States from Windsor and Essex county, it is estimated Windsor loses one job. Further, some 650 retail jobs quite simply vanish.

In my riding of Windsor-Sandwich, many of my constituents are contacting my office regarding Sunday shopping and many of them have expressed that they can no longer afford to shop in Windsor and are looking to stretch their dollars. What assurances can the Solicitor General give to this House that concerns of border towns will be addressed in the upcoming legislation regarding Sunday shopping?

**Hon Mr Farnan:** I was very encouraged at the lead-off question by the official opposition this afternoon, when it clearly distinguished between the two issues, seven-day-a-week cross-border shopping and Sunday shopping, two very distinct issues. Our border communities are fully aware that the loss of Ontario shopping dollars is more clearly and more closely tied to the federal government's economic policies. The high dollar, high interest rates, the GST and free trade are all items that are affecting the economic policies and are hurting our border communities.

Despite that, I am aware that border communities are faced with special problems. I am meeting with the mayors of the border communities this Friday at 3 o'clock and I intend to discuss the very issues that the member has raised in the House this afternoon.

**Mr Dadamo:** At last night's city council meeting in Windsor, council voted 6 to 3 in favour of Sunday shopping, with hopes of trying to salvage an already devastated retail economy. Will the Solicitor General take any steps to help move this motion from Windsor city council?

**Hon Mr Farnan:** Under the current legislation Windsor, and any other community, has the right to pass such bylaws. However, I want to make it very clear to this House and to the people of Ontario that from the very start we made it clear that we would be introducing legislation, that the basis of that legislation would have a common pause day. I am prepared to work with all of the groups involved. Indeed, I have made arrangements to meet with the opposition critics next Wednesday to discuss progress in this area. We will be coming forward very soon with legislation, and I would ask the province to co-operate with us, not to take too hasty action but to look for the legislation that will be coming forward soon.

#### NON-PROFIT HOUSING

**Ms Poole:** My question is for the Minister of Housing. Day after day in this House we are hearing a litany of broken promises, promises broken by the NDP, and today I am afraid that I have to add to that list.

In this House on 17 December 1990, I asked the Minister of Housing if he intended to keep his government's promise of 20,000 non-profit homes per year to be built by 1992. The minister was very specific in his answer, and I will quote from Hansard:

"Because of the process of reallocation and speeding up the Homes Now program, next year it is our projection that we will produce in this province and start around

20,000 units, the largest number of housing starts ever in the history of this province."

Recently, at an affordable housing conference in Belleville, this same minister was quoted again. But, doing his best imitation of Dr Jekyll and Mr Hyde, the minister this time had a very different story: "We won't be able to do 20,000 a year under the current fiscal situation. I would mislead you to say anything different. We simply can't afford it."

Will the real Minister of Housing please stand up? Is he or is he not going to build those 20,000 non-profit homes, and if not, why not?

**Hon Mr Cooke:** The answer to the question is yes, the housing will be built in this province. Our reallocation of the Homes Now program has made a substantial difference. When the member's party was in power, if we had continued to follow the route it was following under Homes Now, we would have delivered less than half of the 30,000 units that her party promised. We are going to come close to delivering the full 30,000 units. I think that is a pretty substantial accomplishment. So we are doing the best job we can with the resources we have, and I can assure the member and the members of the Legislature that for this government, housing is a top priority.

1500

**Ms Poole:** I find it very interesting that the Minister of Housing did not say he was misquoted in the article in the Belleville newspaper, which made it very clear that they were not going to keep their election promise of 20,000 units. If the minister is saying right now in this House that he is going to keep that promise, I would like a target date of when they are going to have those 20,000 non-profit homes built, and I want a commitment of a specific date, not, "We are, some time in the future." Is he going to build it every year in the three years until 1992?

**Hon Mr Cooke:** I think there are a number of variables, as the member will know. As we allocate housing, the one confusing thing that I have discovered so far is that there are three different dates: You allocate a unit, commit a unit, start it and then finish it, and the statistics are incredibly confusing.

I have not seen the Belleville newspaper, but I can assure the member that it is my view and the view of this government that we intend to keep our commitments that we have made on housing and the commitments under the Homes Now program for reallocation. The member will judge us by the accomplishments we achieve in the housing field. I think that even she will be proud of the accomplishments of this government for the establishment of housing.

#### EDUCATION POLICY

**Mrs Cunningham:** My question is for the Minister of Education. I think all members of this Legislative Assembly, plus school boards and teachers across the province, are most concerned about the ongoing accommodation challenges facing the school boards in Essex county.

I also believe that there is not a person in this Legislative Assembly who will not remember the ongoing negotiations



around Bill 30 in 1985. Many of us were very actively a part of it, and certainly members of the minister's party. I would like to quote to her the Education Act, clause 136v(2)(d), which is the old Bill 30: "...in a community that has only one secondary school operated by a public board, that the secondary school will continue to be operated by the public board despite the election to provide secondary education by a Roman Catholic school board having jurisdiction in the community"—and I underline—"unless the public board decides otherwise."

Is the minister planning to rule in accordance with Bill 30 if required to do so?

**Hon Mrs Boyd:** I must say it is a great relief to have a chance to actually speak directly to this question, given the kind of indirect innuendoes that have occurred around it. I think it is very important for us to be very clear about how serious this issue is, how painful it is for the children and young people and families in Essex county, so I thank the member very much for asking the question.

The issue in Essex is extremely complex. The previous government did the best it could to try and resolve the problem by allocating the funds for the building of two Catholic schools. They put more than \$22 million into allocations for that area so that in fact school transfers would not be necessary in order to ensure that everyone was accommodated.

What occurred there was that St Thomas of Villanova Secondary School was prevented from buying the property and building the school that was planned because of an Ontario Municipal Board challenge by the community. That challenge was upheld by the courts, and so this fall that area found itself unable to deal with the issue in the way it had planned to do it by the building of a Catholic school, as the previous government had allowed it to do. In November, both boards decided that the sharing of the facilities that was going on to accommodate the students was no longer feasible and they voted to cancel that sharing agreement, leaving 500 students of St Thomas of Villanova with the prospect of no school in September.

At the request of many citizens, including parents of those children and many representatives, I went to Windsor to meet with the directors and chairs of the boards of education in the Essex region and the Windsor region to see if there was some regional resolution that could be reached to the problem, and I encouraged them—

**The Speaker:** I realize this is a very important and sensitive issue and that both the question and the response are quite complex. At the same time, there is some pressure in question period to try and get as many members as possible on the floor for questions, so perhaps we could move to supplementary and at that opportunity the minister may wish to perhaps make a few more brief remarks.

**Mrs Cunningham:** She had hoped the boards would solve the problem at the local level, and certainly all of us would agree with that, but given that they may or may not, there are still basic ground rules, I believe, to these negotiations. There would not be a member in this House who would not believe, along with the minister's former colleague, although she was not here at the time, probably

one of the more outspoken individuals during the discussions and the many sincere and emotional presentations that were made.

The whole committee was chaired by Richard Johnston, and I am sure the minister in fact would agree with his concerns as he responded over and over again in Hansard in this fashion—this is Mr Johnston speaking: "We have seen a recognition, especially in the single-school communities, that those single schools have got to be maintained and cannot be lost." With that, I would ask the minister, what is her interpretation of a single-school community and will she then be acting in accordance with Bill 30?

**Hon Mrs Boyd:** What I have done is to refer the issue to the Planning and Implementation Commission. The commission has said that facilitation has not reached an agreement and has recommended that a mediator be appointed, and if a mediated settlement cannot be reached that a tribunal arbitration be set. In that case, the tribunal or arbitrator, whichever was recommended, would be aware of what the act said, would be aware of the concerns about single schools and would certainly be asked to rule in accordance with the overwhelming evidence around single-school necessity in the area, if that is what is presented.

#### FAIR TAX COMMISSION

**Mr Huget:** My question is to the Treasurer. Taxes are a topic of interest in my riding and I am sure generate lively discussion all across this province. In my discussion with constituents, the subject of tax fairness and tax reform always comes up, and I am frequently asked about the Fair Tax Commission. Could the Treasurer please tell this House if the commission is up and running and what its current activities are.

**Hon Mr Laughren:** I should say that when I go back to my constituency, that is probably the most-often-asked question I get too; so I understand why the member for Samia would hear that question. To the member for Samia and to all of those people across Ontario who are seized with this question, I should tell them that the commission had its first full meeting about 10 days ago, as I recall. They are now establishing a set of priorities on which of the tax measures that I have asked them to examine they will do first and when they will get those reports back to me.

To answer his question, the commission is off and running now and it is setting the priorities, at arm's length from me, I might add, to determine what its priorities should be.

**Mr Huget:** Members on the opposite side of this House constantly rant and rave about how the commission supposedly was stacked in favour of the NDP. Could the minister please reply to these charges.

**Hon Mr Laughren:** I hope this will lay to rest once and for all that these are lobbed questions.

I must say that when the commissioners were selected, I did not know what political party, if any, they belonged to. However, I would like to express my appreciation, which I should have done earlier, to the standing committee on agencies, boards and commissions for drawing to



my attention that almost half of the members of that commission were indeed card-carrying members of the New Democratic Party. I was not aware of that until the all-party committee brought that to my attention. But I should remind the members as well that because approximately half were members, much to my surprise, of the NDP, that means that the other half were not.

1510

#### RACE RELATIONS

**Mr Curling:** My question is to the Minister of Citizenship, who has the responsibility for human rights. As the minister will know, allegations of discriminatory practices on the part of employment agencies have been persistent and pervasive, and this is intolerable in our society.

The Ontario Human Rights Commission recently investigated allegations of discriminatory behaviour on the part of two Metro employment agencies; those were TES Contract Services and Ian Martin Associates. This was done after a Canadian Civil Liberties Association survey showed that 12 out of 15 agencies called were willing to discriminate, upon request by employers.

With respect to the terms of the settlements reached with these agencies, the chief commissioner herself stated, "If the standards we are proposing are widely instituted, in the future visible minorities, women, aboriginal people and persons with disabilities will receive fair and equal treatment when using the services of employment agencies."

Will the minister commit her ministry to ensure that the Employment Agencies Act is amended to provide for meaningful sanctions in cases of discrimination, including stiff fines for agencies which discriminate and revoking agency licences where necessary and to allow the commission to make regular audits of agencies' hiring practices? It is a good time to put some concrete proposals that would really put some teeth into that policy of anti-racial discrimination that she announced today.

**Hon Ms Ziemba:** I would like to thank my honourable critic for asking me this question, because, yes, it is a very important issue when discrimination is before us. As the member is probably aware, the Ontario Human Rights Commission, as he said, has investigated these cases, which I applaud, as the arm's-length commission has that responsibility. They took this initiative and did it and they did it well and I am very pleased that they took that initiative to do that. We will be continuing to do that sort of thing.

Also, with our legislation on mandatory employment equity, we will ensure that this will not happen again, that people will not be discriminated against based on age, colour or sex. We are very pleased that we are moving quickly. Our government has taken very concrete steps to try to create an atmosphere that removes racism and creates a better atmosphere for equality and equity in our community.

#### CROSS-BORDER SHOPPING

**Mr Scott:** Mr Speaker, I rise on a question of personal privilege. Yesterday during question period a question was raised about a course that is run at Durham College of

Applied Arts and Technology to teach students in the program how to shop on the American side of the border. The matter was I think one of the lead questions put to either the Premier or the Minister of Colleges and Universities.

The minister responded by saying he had no authority to cancel such a course and indeed he would not anyway, because if he was interested in shopping, he thought it would be a course that he would like to take to learn how to shop on the American side of the border. We know that the minister subsequently had a visit from the Premier and was almost Kormosed.

I raise the question, Mr Speaker, because during question period today—and this is the issue of personal privilege—the honourable minister waved a form in his hand and tried to get your attention. He was going to tell us that as a result of being Kormosed he had found he had the power and had cancelled the course. I wonder if, in respect of the privileges of all members of the House, you would allow him the opportunity to make that statement now.

**The Speaker:** No. One moment, please. The member has raised an alleged point of privilege. I assumed he wanted a response. The member knows full well it is not a point of privilege which he has mentioned. He has, however, brought to my attention something of information.

**Hon Mr Allen:** Mr Speaker, I rise on a point of personal privilege because the member has alleged, first, that I said there was nothing that I could do about this issue and, second, that I somehow favoured the matter at hand.

It was very plain in my answer yesterday that I said that such courses were entirely inappropriate, and the member can go back and check the Hansard record and find that out. But I want him to know at this point in time that over the past two days I and my staff have been in touch with Durham College. We have discussed this question with them, and the president has informed me today that no such activities of this kind will be pursued by the college in future.

#### STANDING COMMITTEE ON THE OMBUDSMAN

**Mr Curling:** I rise on a point of personal privilege, Mr Speaker. This morning I attended the standing committee on the Ombudsman at about 10 o'clock. As I have raised many times in this House, I am very anxious to partake in this committee. Upon attending this committee, we had the Ombudsman there in attendance to explain her role. This is about the third or fourth time I have attended this committee and, about 15 or 20 minutes into committee, they have adjourned this committee.

I think that I would like to express my views. I have been elected here to serve, and my rights and my privilege have been violated by this cancellation of the Ombudsman committee. I say that because we hear many times in the House that we would like to address issues; we talk about human rights, we talk about race relations and we talk about the Ombudsman and we cannot even meet. I cannot meet to express that.

One comment by the member was that he was not ready. This government has been in power for the last six months. The standing committee on public accounts and many other committees have met numerous times and



have dealt with other issues, and the Ombudsman committee is not yet able to meet properly. I think my rights have been violated.

**The Speaker:** I appreciate the concern which you raise. It is not a point of privilege, but the member may wish to raise this matter with the committee and may wish to do so at his earliest convenience.

## PETITION

### ELECTROLYTIC EPILATION

**Mrs Witmer:** It is with a great deal of pleasure that I present a petition that has been signed by 1,794 residents of the province of Ontario. Many of those who have signed the petition are present in the gallery today, and I would like to thank them for travelling from all parts of Ontario for the presentation of this petition.

The petition states:

"To the Legislative Assembly of Ontario:

"Whereas we are citizens of the province of Ontario and we are angry because the provincial health plan (OHIP) continues to pay the full cost of hair removal by epilation to doctors who do not perform the service personally,

"We petition that this is a cosmetic procedure that is consuming an increasing volume of tax dollars paid to doctors under the guise of an important and necessary medical treatment. We submit that epilation by electrolysis should be immediately de-indexed from the OHIP schedule of payments. We are asking you to spend less, not more."

1520

## REPORT BY COMMITTEE

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented the committee's sixth report.

Pursuant to standing order 104(g)(14), the report was deemed to be adopted by the House.

## INTRODUCTION OF BILL

### ELECTION AMENDMENT ACT, 1991

#### LOI DE 1991 MODIFIANT LA LOI ÉLECTORALE

Mr Mills moved first reading of Bill 65, An Act to amend the Election Act.

M. Mills propose la première lecture du projet de loi 65, Loi modifiant la Loi électorale de 1984.

Motion agreed to.

La motion est adoptée.

**Mr Mills:** Briefly, the purpose of this bill will be to allow the indication of a candidate's political party on ballots used in provincial elections.

## ORDERS OF THE DAY

### THIRD READING

The following bill was given third reading on motion:

Bill 24, An Act to control the private use of Cards issued and Numbers assigned to Insured Persons under the Health Insurance Act.

La motion de troisième lecture du projet de loi suivant est adoptée :

Projet de loi 24, Loi contrôlant l'usage dans le secteur privé des cartes et des numéros attribués aux assurés en vertu de la Loi sur l'assurance-santé.

### CITY OF LONDON ACT, 1991

Mrs Cunningham moved second reading of Bill Pr29, An Act respecting the City of London.

Motion agreed to.

Third reading also agreed to on motion.

### REPRESENTATION AMENDMENT ACT, 1991

Mr Villeneuve moved third reading of Bill 31, An Act to amend the Representation Act, 1986.

**Mr Villeneuve:** This effectively changes the name of the riding to S-D-G & East Grenville. We have the warden of the united counties of Leeds and Grenville, the reeve of Edwardsburgh with us today, my friend David Sloan. He was one of those who were not represented.

Motion agreed to.

### CONCURRENCE IN SUPPLY, MINISTRY OF TREASURY AND ECONOMICS

Resuming consideration of Mr Laughren's motion for concurrence in supply for the Ministry of Treasury and Economics.

**Mr Bradley:** Thank you very much, Mr Speaker, for the opportunity to participate in this debate in the presence of the provincial Treasurer.

Some members of the House may not be aware, and just to show how the New Democratic Party is no different from any other government—perhaps even our government members might have done this, I do not know; I cannot believe they would have—but the Treasurer was quite willing to appear before the standing committee on estimates to deal with his estimates. I have always thought that it was very important that the one time a minister should be present for the consideration of estimates was when, in committee, a specific time was established for the estimates. That is when I thought the minister should be there.

The minister in this case indicated that he was unable to appear on the afternoon of one of the estimates but was prepared to adjust his schedule early the next week so that he could appear before the committee. The NDP members to a person blocked this from happening and therefore short-circuited the process. The NDP members, who in opposition and who on the campaign trail and who in the various halls of the province of Ontario have extolled the virtues of open government and accountability and accessibility, were in fact those who blocked the committee from having the Treasurer before us and therefore short-circuited the estimates process.

The Treasurer, to his credit—and it is not often that we are prepared to give credit to people—was prepared to be before the committee, but obviously somebody had given



marching orders to the members of the committee, probably someone from on high in the pink palace or wherever it is, that they should in fact block this accessibility to the Treasurer of this province.

But we do have the opportunity this afternoon to discuss some items, and one of them I am concerned about as we approach the date of the provincial budget is that of the deficit in the province of Ontario. One has to expect that when there is a recession on, there is going to be a deficit. The federal government has run one for a number of years, even in good times, and many of the other provinces have been involved in deficit financing. There is a recognition that this is part of the process. I think we would be foolish and unfair if we were critical of the Treasurer or the government for running a deficit. What we have to be careful of, however, is that this government does not allow the deficit to balloon totally out of control.

One of the ways that you get people accustomed to an increase in the deficit is you start floating figures out there as to how high it might be and then of course you come in substantially below that particular figure. Then everyone says, "Well, isn't it nice, Pink Floyd," as they call him. We are not supposed to be personal, but they call him Pink Floyd. I call him Blue Floyd on many days when he is busy tightening the screws in certain areas where he should not be.

But we have a situation where there are at least forecasts of deficits and now the latest one I have heard from the Treasurer—he may have a later one after that—was something around \$3 billion that he was quoted as talking about. It should not be allowed to balloon out of control. There should be designated expenditures by the government and I think we in this party certainly support specific expenditures in the capital field designed to produce new jobs, not as the Minister of Transportation has stated—and I am sure the Minister of Transportation is concerned about this—that his ministry has provided funding for some municipalities which are then quoted as saying: "Well, we were going to undertake these projects anyway, so they really won't be creating new jobs with this provincial money. But we are happy to get that money from the provincial government."

If you are on a municipal council, of course you are going to be happy in an election year to be able to save some money, to be able to keep your taxes down at the property tax level. But it is not, as I think the Treasurer would hope, going to produce the new jobs that the Treasurer had been hoping it might.

The Treasurer has a very difficult job, as all people who have held that office will tell you, because the Treasurer is the person who has to say no, and in an NDP government, where you have ministers who want to spend money like wild people—I have to be careful what I say these days, because you cannot say things any more, so just "wild people," I will put it that way, who want to wildly spend money. He has to be able, along with the Chairman of the Management Board of Cabinet, to examine every one of those potential expenditures.

1530

Now with a new government in power, members of the civil service understandably may feel that this is the time to add to their staff, that this is the time to add new programs, that this is the time to expand programs, and in some cases that might well be justified. But what the Treasurer and the Chairman of Management Board have to do is be very tough and examine each of those expenditures to ensure that deficit is not going to go totally out of control so that in fact we end up borrowing more money, that we end up adding to the debt. This is something, I am sure, that nobody in the province of Ontario wants to do, because it is one more thing which discourages business from locating in Ontario. I will get to that in a moment, and the moment is going to be now; I am going to get to that.

So what we have to do overall is we have to stop business—and I do not say that in a punitive way, but halt the bleeding away out of Ontario of business, the loss of jobs on a permanent basis out of the province of Ontario, and attract new capital to the province of Ontario and attract people in our own province to invest in this province in areas that will create permanent jobs.

Every community you look at, and my own community of St Catharines is no different from others, is losing jobs. Previously in recessions we looked at the losing of jobs and said: "Well, that is awful. It is a strain on the people. It is difficult on the families who have to suffer through this." But what is of more concern in this specific recession is that many of those jobs are being lost permanently in our communities. Part of this is because of what the business community and those who might want to invest in this province perceive to be the agenda of the government in the province of Ontario.

Many of the people who are big in business are going to say this is a—they use the word "socialist" government, and we in opposition from time to time use it. The government does not like to use it any more; it says it is "social democratic." When they are anywhere near power, it is social democratic, but I can remember when the Treasurer was a member of the Waffle group of the NDP. He would have been proud to call himself a socialist instead of a social democrat.

**Hon Mr Laughren:** Still am. Nothing's changed.

**Mr Bradley:** He still is, he says.

What is happening is that we are in fact having a situation where people are leaving the province. Where they have an investment, they will keep that investment going as long as possible, but they will not add to it, and when the crunch comes, they leave on a permanent basis. They are closing down and moving out, not just laying off. Part of that is attributable to the atmosphere created by the election of this new government and its antibusiness rhetoric, which we hear from time to time.

**Hon Mr Laughren:** Not any more.

**Mr Bradley:** "Not any more", says the Treasurer, since he and the Premier went on bended knee to the barons of Wall Street, and begged for mercy. I understand that and I was not overly critical of that. I would like, in jest, to



say to the Treasurer and to the Premier that they have done so, because they used to make fun of other people and other governments that would do so. But that is a necessary step for the Premier and for the Treasurer, to indicate to people outside of this province that somehow investment is still welcome and to encourage people, as I say, in our own country who want to invest, to invest right here in the province of Ontario.

What is even more interesting to observe is not so much the jobs that are going away—that is going to happen in a recession and we have to be very concerned about that—but it is the fact that people are now not even considering Ontario for investment purposes in the future, because of (a) uncertainty, and that is the easiest to say, the uncertainty, but (b) because of the perception that this government is going to punish people in business in various ways.

As I have said on many occasions in this House, I do not come from a business background. I am not a lawyer who deals with business. I am not a business person. I have no relatives whom I know of who are rich, or anything like that. I come from a trade union background and I live on a street in my community where most of the people, or at least the majority of people, work in the automotive industry and in industries that service the automotive industry. Those people, when they speak to me about their problems, yes, they are concerned about justice and, yes, they want a good contract to be negotiated by their union with the company. They want fairness; they want a safe workplace; all of the things which are justified.

They are also concerned, however, that the new government might be doing things that would chase the businesses away. They are people who may not themselves invest in business. Some do; some do not. But they are concerned that General Motors or Dana Corp or TRW Canada in my own community or many other industries in other communities do not decide that they are going to leave the province of Ontario and take away those jobs that are so important to those people, that put bread on the table, that allow them to have some of the amenities that they have earned over the years.

I encourage the Treasurer, and he has his NDP tax commission there that he now concedes has a good number of New Democrats on it who are going to obviously bring in a recommendation that is pleasing to him. We had an opportunity to interview them. I know that the member for Etobicoke West asked many of them whether or not they had been affiliated with the New Democratic Party, just to establish where they might be coming from. I think it is important that we have a greater variety of people on commissions of this kind, so that we get a genuinely open-minded report coming forward instead of one that they think is going to please their political masters who appointed them. So that is something the Treasurer has to address.

Now, we recognize that nobody in Ontario wants to see taxes increased. The Treasurer has that opportunity. It is a tricky situation for him. I am not one who in exaggeration will say, "Well, here is a long list of things you can spend on," and then, "We don't want you to raise taxes." We

recognize a need for a deficit in this recessionary period—not a large deficit, but a deficit. We recognize as well that targeted spending can be effective, and some of the targeted spending that I would suggest—and I may be biased in this area, and I say so with no apologies—is in the field of the environment.

We have a need for the upgrading of sewage treatment plants from one end of the province to the other. I listened to the federal government, which made a submission during the election campaign to the electorate that said, "We are going to spend \$125 million cleaning up the Great Lakes." Mr Speaker, you are from the Ottawa area, and you would recognize that to upgrade the sewage treatment plant in Ottawa from secondary to primary would cost \$400 million. The provincial share in that case is a little over \$100 million.

We recognize, if you multiply that across the province, that it is a hefty sum of money. It has two positive effects, however, that kind of expenditure. One positive effect is obviously that it improves the environment because it improves the effluent. The second positive effect is that it creates jobs, and it creates jobs pretty quickly. There is a good spinoff from those jobs, and therefore we are in a position to improve our economic situation. It keeps a lot of businesses going. For medium-sized construction businesses, for instance, it allows them to keep people on staff who may go somewhere else. These are good, skilled people who are often in demand.

We have a number of waste management sites that can use remediation in this province. We are always going to have that, and that is, I think, a valuable expenditure for the same reason that the last expenditure was. We have water treatment plants that would fall into the same category, where there can be specific expenditures, right across the province.

#### 1540

I know there will be many people in the province who will be looking to the Treasurer for 100% of the funding because there has been a precedent which has been set now, the ramifications of which will be felt right across the province. So I expect that every municipality in this province will now be demanding 100% funding for water treatment purposes because of the precedent that they have set.

It is good election stuff, and it puts a smile on the face of the local member, but this is where it is a different choice when you are governing from when you are not governing. Because that precedent means that every municipal official in this province could probably make a case for 100% funding. That is what happens when we acquiesce to 100% funding.

Maybe that is the route they want to take. If they do, they had better announce it to the province, but that is exactly what they are going to get, every municipality in the province. So they have to look at what is nice to have, what puts smiles on the faces of the local members, what puts a smirk on the face of the local member as opposed to what is good public policy in this province. That is the difference when you are in government from when you are sitting over here. That is how people will judge the government, on the competence, the managerial competence of this province.



I think the Treasurer, who has been on this side and has been Treasury critic, is a person who is aware of that and knows exactly what I am talking about when I mention that. I will tell the members that he is going to have every municipality on his back for the same treatment.

He will find that the people of Chelmsford will be looking for the same funding. The next time I go to my old home town of Sudbury, I am going to tell them how the Treasurer's government was kind enough to give 100% funding in one particular case, and they will all want that. They will want it. Blezard Valley will want it, Azilda will want it, Capreol, Valley East. The former member from Capreol will be certainly phoning me up, I am sure. No, I guess he cannot. Somebody will be phoning me up from Capreol. My relatives in Capreol will be phoning me up to ensure that they have the same kind of funding available to them.

Now we get into the issue that the member for York North raised today, the Education critic for the Liberal Party. I well remember, when the New Democratic Party was on this side of the House, how it talked about paying 60% of the cost of education in the province, but it was 60% of the operating cost, no throwing in everything else the way previous governments liked to.

I used to ask questions of Bette Stephenson when she was the minister. She would say, "Well, James"—as she always called me—"what you do not understand is that we pay into the teachers' superannuation fund; we pay all of these capital costs; we have these indirect subsidies which go to education. You do not understand that it is not really 49%"—or whatever it was then—"of the cost of education."

When we hear the Minister of Education talk about it, she starts to suggest that there are going to be some strings there. When my friends in the Ontario Teachers' Federation were going across the province of Ontario in this campaign and previous campaigns, and when they are in the House, when they are making representations to us, they are not looking for all of these strings. They are not saying, "You get the money if you do this," or, "You can go ahead and count teachers' pensions, or count this or count that." They did not say that. They are expecting this government to deliver 60% of the cost of education being paid on an average across the province. We recognize that in some municipalities it will be lower than others; that is understandable. I would not be a demagogue and say that in every municipality it must be 60%, because I understand that. But on the average across the province, 60% of the cost of education will be paid.

I suspect the government is beginning, as it has in so many cases, to change its mind once it is sitting in the seat of government, and that we will not see that paid. I know that the members of the teachers' federation who were very quick to say that it was child neglect or something like that during the campaign will be the first—because they are fair and non-partisan, because their people at the very top are not New Democrats, just in the pocket of the New Democrats, because they are fair minded people without a political affiliation that they are prepared to demonstrate—that they will be calling this government to account if it does not fulfil that promise. I am absolutely

certain of that because I know the members of the teachers' federation in my area expect that that will be the case.

Now we have situations and there has been some of this happening. One cannot always be negative in this situation. Some of this has happened, and I am sure whenever the government does something right it is because it got the idea from those of us in the official opposition. Sometimes at least—

**Hon Mr Laughren:** Either that or they got lucky.

**Mr Bradley:** Or they got lucky, as the Treasurer says. That is true. But a lot of schools have needed some upgrading and repair. I am not talking about making them fancy. I am talking about basic things like the roof or the boiler or something like that in the school, walls that need repairing, the upgrading so that it meets the safety standards as it relates to fire and other things. Those kinds of things have to be done. This is a good capital expenditure, and I call for the Treasurer to increase that specific kind of expenditure while he is holding the line or cutting at some other areas where he determines, along with the Chairman of Management Board, that the expenditure is not necessary in a specific year.

Of course, there are people living in portables, and when we recognize that is going to be a long-term problem, students being in portables, it is wise for the government to invest in a new building. If it is short-term, the government will say, with some justification if it is just getting people over a hump, for instance, and it is not many, this is good planning to utilize them. But in many cases there is an obvious need there and that need can be met. We all recall during the election campaign that they said they were going to meet such needs.

The universities and colleges are in situations—and again, I am not asking the Treasurer to fund unnecessary expenditures and he knows this—where people dream up something they would like to have. But there are many essential buildings that may be required or that require repair in certain colleges and universities in this province, and again, that can create jobs with a good spinoff. The time to do that is in a recession. In good times we find that the private sector is able to handle most of that.

In terms of hospital needs—and the Minister of Health is here this afternoon—right across the province we heard from candidates who ran in the last election how much money would be needed to fund needed hospital renovations and additions and perhaps even new construction. The Treasurer, the Chairman of Management Board and the Minister of Health all have to be cognizant not simply of the capital expenditure but of the operating costs as a result; therefore they will find reality will dictate that they cannot do all they would like to do. But there are some needed expenditures we think could be made in a time of recession.

One of the answers the Treasurer and others will give all the time, and the members of the Progressive Conservative caucus are used to listening to this and perhaps sometimes come to the defence—the wise ones do not; the wise ones stick to the provincial level—but they will say it is



the federal government's fault. Everything is the feds, and heaven knows those high interest rates and the high dollar and some of the federal financial policies have not been helpful. But let's not let the provincial government off the hook simply by saying that.

We hear about free trade. I used to be worried about free trade because when we were in government, Premier Peterson indicated his opposition to the free trade agreement which was signed by Prime Minister Mulroney and President Reagan and said he was going to work towards trying to stop that. I can remember, in a position not far from here, the man who is now the Premier of Ontario denouncing David Peterson because he did not stop free trade with the suggestion that he, when he was the Premier, would be stopping free trade. He was going to thwart it. He would not implement anything that would assist free trade. Well—

**Mr Fletcher:** That was then.

**Mr Bradley:** The member for Guelph says, most appropriately, "That was then and this is now." At least, I completed that for him; I do not want to put words in his mouth. He said, "That was then."

That is an example of how reality has set in. The Premier of Ontario cannot easily stop free trade, whether it is with the United States or Mexico. Even though he suggested he could, obviously he cannot. I know those who were so critical of Premier Peterson on the free trade issue will be equally critical of the present Premier for not stopping free trade, when he suggested he would find some way of not being co-operative and stopping it.

1550

Some of the socialists are now speaking up and I know this is important to them. One of the things that the third party, as it was at one time—then it was the second party now the first party—has always felt strongly about and had some interesting support for, a good cross-section of support among nationalist people in Canada, was for retaining as much as possible what is important within the realm of Canadian control.

I know that within the NDP caucus there would not be very much support for allowing a major natural gas company like Consumers' Gas to go into foreign hands, because I remember the Premier in opposition suggesting this should never happen. I know each and every one I look at in the government benches believes that should not happen, but large as life, when he became Premier, he allowed Consumers' Gas to fall into foreign hands. Not only that, but he had some apologists who were formerly very critical of the provincial governments, Conservative and Liberal, who said, "We understand why they have to do this." The very same people who on principle were critical of Liberal and Conservative governments had now become apologists for the NDP.

When Varsity Corp was allowed to shuffle off to Buffalo—

**Mr Stockwell:** They held the door.

**Mr Bradley:** The member for Etobicoke West would suggest that perhaps they found out where Buffalo was by taking the course at Durham College on shopping in the

United States, a course allowed by this particular government.

I want to compliment them on something, first of all. The Environmental Youth Corps was established by the previous government under a previous Environment minister with the support of all members of the House. I see that the government has not cut this. I compliment the government on continuing this program, because I do not want this speech to sound as though it is simply negative about the government. It gets credit for that.

In another area I am particularly concerned about, the Minister of Agriculture and Food, after much prodding from the opposition and much public dissent on this issue, today announced a half measure to assist some farmers in the province of Ontario. So the reconvening of the Legislature has some effect. The government would like the House never to sit probably, because governments do not like to be subjected to the daily question period, but there he was rising in the House.

Those who represent rural ridings, and those who do not but who know the situation, know how difficult it is for farmers. In my area of the province of Ontario, the Niagara Peninsula, the problem is twofold. I can remember well Stephen Lewis standing in this House and talking about the disappearance of agricultural land in the province. I can remember when the CBC was interested in this issue, when it was a big issue for the CBC when this was leaving. It was one that was featured all the time and the CBC did some excellent documentaries on this. The Globe and Mail ran some columns. It was a big issue.

It continues to be a big issue and there is a difference between now and in 1975 and 1976 when some of us at the municipal level were attempting to fight the expansion of urban boundaries into the good farm land in the Niagara Peninsula. The difference is that the farmers by and large were on our side in those days and today they are not, not because they do not want to be farmers, not because they do not enjoy working with the soil or working with animals, but because it is too tough to make a living on the farm.

That is why we as a society have to make the choice. I have said to people, who perhaps do not want to hear this sometimes, that if they are going to assist the farmers they have to do it in one of two ways: You pay more for your food or you somehow provide some financial assistance to farmers to make that a viable business.

Canadians have not shown a desire to pay more for their food. Indeed, the former member for Welland-Thorold used to crusade in this House with some justification. He used to come in with something he had bought in Buffalo or Niagara Falls, New York, a food item or another item, and he would say, "This is what it costs there and this is what it costs here and why is that the case?" He was speaking as critic on behalf of the consumers of Ontario.

But if we in this province and other places are not prepared to pay more for food, then governments have to come forward with programs to make agriculture viable, because today the amount of money that is being offered for that land for development purposes is far more than it was in the past. Restrictive boundaries are an answer, and I



strongly support the regional municipality of Niagara sticking to the boundaries it has set, each of the municipalities there sticking to the present boundaries. In fact, I previously opposed even the boundaries that are there now. However, they were approved in those days. The government should stick to those, but to do so, to be fair, the necessary funding must go to the farmers.

To university students in an environmental studies class at Brock University, for instance, who are obviously the kinds of people who would want to save the agricultural land, I said, "Are you prepared to do that if it means that the NDP government in Ontario is going to raise tuition fees?" We have been critical of that because in opposition the government said it was going to eliminate them or cut them or something. But it was when I was in opposition; just a few weeks ago I was speaking to them.

**Hon Mr Laughren:** What is the link here?

**Mr Bradley:** The link is that the government cannot have everything. If they want to spend, they may find that they have to establish priorities, that maybe each one of us will have to make a sacrifice if we want to retain that agricultural land, some of the things we would like to have. That is a message I think increasingly will have to get out to the people we represent if we want to be honest with them.

The Chairman of Management Board is here this afternoon and probably recognizes better than anybody in the government, even more so than the Treasurer, how difficult it is to keep the expenditures in line, to manage those expenditures properly. What she is discovering and what the Treasurer is discovering is that everybody would like to have everything. They would like to save the agricultural land, they would like to have no increase in tuition fees, they would like to have new hospitals being built and they would not like to see an increase in taxes. That is a difficult thing for the government to do and people will be watching carefully to see—

**Hon Mr Laughren:** She can handle it.

**Mr Bradley:** The Treasurer says she can handle it. I presume that means the Treasurer's job. There is a word out there somewhere, and it is always somewhere, "They say." I remember John Diefenbaker used to say, "They say." They say the Chairman of Management Board has her eye on the Treasurer, that she would like to be the Treasurer of the province of Ontario. Perhaps if she shows herself to be a tough but fair manager as Chairman of Management Board, she will find she will be sitting in the chair of the Treasurer and he will be the Minister of Correctional Services or some other portfolio he may have.

**An hon member:** Do you want some water?

**Mr Bradley:** I could probably use some more water, because it is becoming a problem. Now, I do not want to hog the whole time, because I know some of my colleagues and some of the Conservative members want to say something. They have been working hard as well and I know some of the government members, some of the NDP members, will want to rise to apologize for all of the promises that are being broken. They will want to talk

about Consumers' Gas. I cannot think of anybody who would not want to, if they really wanted to be honest.

I have given the Treasurer perhaps a little bit of advice, some of which he will take and I know he will take credit if it works out all right. Perhaps even some in opposition may claim the prodding of the opposition was what changed things. We are in difficult economic times, the worst I can recall, although our parents, those of us who are about that age, will tell us about the Depression of the 1930s and how difficult it was and there are many similarities to what is happening now. It seems to me that Ontario, as the economic leader, as the economic base, as the industrial base of this country will have to take a leadership role in turning the economy around and do so without allowing the deficit to get way out of control and put us in even worse economic straits.

1600

**Mr Runciman:** I appreciate this opportunity. I am not going to concentrate essentially on the government's estimates. I want to make some comments with respect to the honourable member's intervention. The irony of it: I think of we in the Conservative Party, listening day after day to questions and interventions of this nature from the Liberal Party, the past government of this party which governed for five years, I guess it was, and brought us, I think, over 50 tax increases during that period of time and brought us to the point where we now have the highest taxes of any jurisdiction in North America.

We also recall, going back to the election of 1990, the then Treasurer, now the acting leader of the official opposition, talking about how wonderful this Liberal government managed the economy of the province of Ontario and the fact that we were going to have a surplus. Of course, once the new government assumed office, we found out the story was significantly different and now the new Treasurer is facing an onerous burden with respect to the deficit that he has to look forward to in this fiscal year and the coming fiscal year.

I wonder about the training of the members opposite in the new government, why they do not on occasion raise these matters. The Minister of Industry, Trade and Technology was responding to a question today and I do not know why he did not raise matters like the fact that the former Minister of Industry, Trade and Technology drives a Mercedes Benz. We are talking about looking after the ordinary working men and women in this province, and that sort of thing has been occurring in the past and former Liberal government. I know, members may say that is the sort of thing that should not be raised, but I think it is a point that should be made. I think those points should be made and should be put on the record on a very regular basis and perhaps we have to do it if the government members are not aware of the facts or, for a variety of reasons, are unwilling to participate in that sort of a debate. I do not know. But I would like to weigh those facts on the table.

We are certainly going to continue to do it because we feel, in the exceedingly good times that the Liberals experienced while they were in office, we had record numbers of tax increases placed upon the people of this province



and now we talk about cross-border shopping as an example of the problems facing this province in an economic sense. We are in this problem because of the Liberals, because the Liberals in the past five years of misgoverning this province whacked the taxpayers with tax increase after tax increase after tax increase.

**Hon Mr Laughren:** I appreciated the comments of the members opposite. I want to clear up one matter of process, if I might. It was my understanding this afternoon that—I do know that there are about five hours left for consideration of all the concurrences and I was told that I was expected to be here until 4 o'clock. I am not sure whether the opposition was aware of that or had any objections if I left at 4 o'clock, and I wanted to clear that up before a decision was made, because I do understand the concerns of the opposition when a minister is absent.

On that same theme, I just want to respond to the member for St Catharines, who commented on my absence at a standing committee on economic affairs for the consideration of the Treasury estimates a couple of months ago. At that time I was led to believe, as a matter of fact, by the Chairman of the committee—it was the estimates committee—that I would be required at certain times and not other times. I arranged my schedule to accommodate those times and then found out, when I got to the committee, that the arrangement had not been agreed to by all parties.

I am sorry there was a disagreement because over the years I have probably, as a member of the opposition, learned more and, quite frankly, felt I accomplished more as a member of committees, and I am a very strong believer in the committee system in this place. I appreciated the comments of the member for St Catharines and also the member for Leeds-Grenville and I only regret that there is not more time in which to continue the debate.

**Mr Stockwell:** I understood that the Treasurer had to leave at 4 o'clock. That is quite acceptable and I am certain that his staff will read him Hansard and outline the concerns I have.

**Mr Bradley:** Of course, he will watch this tonight on the repeats.

**Mr Stockwell:** He will see it on repeats. Although I think it is a difficult job, I do not really believe that our minds come around the issues to the same end, and I can understand if the Treasurer has a disagreement with me here and there on what the budget should look like.

The difficulty the Treasurer is faced with today is there are not really a lot of options when one is in this economic position. The argument will be made—and not just from Conservatives, but I think Liberals and even a few New Democrats—that the taxpayers cannot be hit for any more money; they are tapped out. Taxes are considerably higher than they should be; business are having a very difficult time surviving; taxes today are the bane of most businesses' existence. They find, I think, that provincial, federal, municipal taxes take away any profitability that their businesses have to operate.

The argument could be made by some that we could go on fed bashing or municipal-government bashing, but we all have a stake in that problem, and one of the more

poignant arguments came forth during our discussion on cross-border shopping. Not to slam the provincial government specifically, but this is an example of where some taxes are different and where certain levels of government are hammering the taxpayer.

If one looks at the pricing of gasoline in the United States, one will find the supplier and the retailer and the federal government are in fact taking proportionately about the same amount out of the cost of filling up your car with gas. The difficulty and the competitiveness end of it comes from the provincial and state portions.

The provincial government in Ontario, in comparison with the state government of Michigan, charges about three times more on a gallon of gasoline. Three times more; that is exactly where the competitive angle comes in. This is exactly why there are businesses that have a very great difficulty in surviving. Ours is about 24 cents a litre and in the state of Michigan it is about 8 cents.

There is a perfect example of why someone wants to cross-border shop, and I will get to cross-border shopping later within my statements today.

It is very indicative of the difficulties the business community faces today. It is no secret that the business community is very concerned about this government. It is no secret that the business community is very nervous about the policies and platforms that this particular government stands for.

The difficulty the Treasurer faces today is that he has to balance deficits, taxes and competitiveness against the Agenda for People. Probably that is the number one reason why there has been some backtracking on the Agenda for People. Even the members opposite will admit that there has been backtracking on the Agenda for People, that it is a given.

The question one must ask is, why? Why has there been backtracking, considering the fact that the government has been on this side of the House for a number of years and it stood very firm on a number of policies? A couple that were outlined were Consumers' Gas and Varsity.

Why was there such a dramatic 180-degree turn on the government's position? The simple rationale, the simple reasoning is that reality does not deal with the government's position on the Agenda for People. They were not dealing in reality. The reality of the situation is, the consumer is basically overtaxed, the deficit is too high and we are losing our competitive edge.

There has been some talk about attracting new business. Being in business, I have always found it is easier to maintain the business one has rather than trying to attract new business. I am not suggesting for a moment it is not worth some effort and some moneys to try and attract new business. But one of the most important customers one has is the person that one is presently doing business with.

The questions, I think, that this government has to be asking itself is not so much: How do we attract new industry? How do we attract new technology? Good questions. What the government has to ask itself is, "Why are the businesses that are and have been operating at a profitable margin in the province of Ontario today and for the past



number of years, leaving?" Why are those businesses closing up and either crossing the border or simply closing down their doors?

1610

I think, if one was to do an investigation of these businesses, one would come to the very simple conclusion that it is no longer profitable to operate in the province. Why is it not profitable? The argument was made just recently that the Liberal government was responsible for some 50 or so tax hikes. It is true that that is very difficult from a business point of view, to continue absorbing tax increase after tax increase after tax increase. When they close these businesses, jobs are lost. The manufacturers lose an outlet to which they can send their product to be sold and retailers may lose an opportunity for a manufacturer to be—there is the member for Durham being interested. I am glad to see he is interested. He will probably be crossing the floor when they open the Whitevale dump.

This is the dilemma that businesses are faced with today. My position to the Treasurer is that before he goes about determining how far to go on his Agenda for People or how carefully to implement it, he had better understand that the tax position and the deficit position are leaving our businesses in a totally uncompetitive position. Rather than worrying about attracting new businesses, he should be more concerned with maintaining the present state.

The New Democratic Party during the last election had the misfortune of doing something that was very rare, I think, among other parties in the past. They had the misfortune—

**Mr Fletcher:** We won.

**Mr Stockwell:** No, there is always a winner. They had the misfortune of writing down their campaign commitments. Their campaign commitments were written down in the Agenda for People.

I honestly believe that the Premier wrote down whatever popped into his head. If a landfill site was being asked for in a certain region, he simply drove his car or his bus out to the landfill site and said: "No. I am not going to allow it to be developed." If a tax was needed to protect certain workers, without investigation the Premier simply said: "Yes. We will do it."

The most telling example of this, the most painful example, was his lame response yesterday to the member's question on the Peterborough-Havelock GO line or rapid transit line. The Premier stood up in this House and quoted a series of numbers that made the line totally inoperable, made it impossible to run any kind of reasonable deficit on that line, and the Premier made a very valid argument, a very businesslike argument had a very straightforward, sensible approach. The question that must be asked is, if those figures were available and if that logic was so obvious, why in God's name did the Premier promise to build it? It is just painfully clear that the Premier promised anybody anything to get elected.

Now he has voiced all these promises, none of which he can keep. He has a Minister of Education who is totally confused about 60% of funding. She went into the committee not having any concept of what they meant by 60%

of funding. She left even more confused. Now we have a Treasurer trying to defend the undefendable statement that she made at the committee level. We have a Treasurer who is trying to balance the promises that the Premier made off the top of his head on that thumbnail sketch, the Agenda for People, with the reality of taxes, deficit and competitiveness.

My friends across the floor are going to argue about all kinds of benefits that workers will have under their government. I do not disagree with them. Some of the platforms and programs that they are announcing or putting forward would certainly benefit some workers. But the small group that they benefit will bear no price. It will bear no benefit to the people who lose their jobs because companies will no longer be profitable. Whether they like the word "profit" or whether they do not like the word "profit", that is the fact of the democratic society. That is free enterprise, and if you are not a profitable operation, you do not continue operating.

The fact is that the Labour minister is already looking at another program. I think he calls it the wage protection fund. The wage protection fund is a really nice concept. If a company closes down and there are moneys outstanding to the employees through severance packages or through pension plans, then the government will generate revenue to fund these people who have lost their jobs. It is a really tremendous idea.

The only difficulty is, where do you generate the revenue to pay these people? You generate it from the same source that the health plan generated it from, and that is the business community. And the last thing the business community needs now, with its uncompetitive standing, with cross-border shopping, with 50-odd tax increases in the last five years and with the recession, is a new tax. It is simple economics. It is not difficult; it is not hard to grasp. It is simple economics.

If members do not believe me, they should go up to the registrar's office, down to any of the local communities, to the city halls around this province and investigate the number of businesses that have declared bankruptcy, investigate that number. It is a startling, alarming, scary number. Why are they declaring bankruptcy? They are declaring bankruptcy because they are not competitive. Recession or not, it is academic: they are not competitive.

Now we come to the very crucial argument, the one that is shouted out from the other side on practically every issue, and that is fed-bashing and the federal government's inaction or ineptitude. I am not going to defend the federal government on all its policies and initiatives. I do not feel it necessary. Frankly, I do not agree with the federal government on all its policies and initiatives. I will say this: It was the leader across the House who promised to tear up the free trade agreement. He promised to do that should he be elected. Why has he not torn up the free trade agreement? Mr Peterson promised and the Premier did the same thing.

We are entering a free trade agreement with Mexico. Where is the Premier on this issue? The Premier is not heard from, including the church mice here who continue to mouth the party line but do nothing to stop or alienate



the Mexicans from signing a free trade agreement. The government is blowing smoke. They cannot stop it. There is not a prayer that they will. They should stop telling the people of the province that they can do anything about it. They may raise the hackles of this party in power, they may be upset, they may shout and squirm, but they should do something about it, tear it up. They cannot, so they should quit mouthing that party line, because it is ringing very hollow.

The next issue we come to is the GST. The government promised a revolt on the GST. The revolt was painfully inadequate. The revolt was known by no one except maybe a few of the government's local cronies. No one has not paid the GST. The GST has been implemented and the government has done absolutely nothing about it. Some revolt. The government has been a painful disgrace when it came to the GST revolt. They have been that for one simple reason, because they have wanted to fed-bash. I agree there could be times to bash the federal government, but they should quit telling us that they are going to do something about it. They cannot. They have certain parameters, certain areas where they can make some changes. They do not happen to be in the GST; they do not happen to be part of free trade. They happen to revolve around the provincial issues that the government may deal with.

Those provincial issues—social programs need to be held. We must hold the line on social spending, there is no question in my mind, if the government wants to bring in a reasonable budget with a reasonable deficit. I accept the fact there is going to be a deficit. I accept the fact it could be a reasonable deficit. What I do not accept is a deficit of \$5 billion, \$6 billion, \$7 billion, \$8 billion or \$9 billion. The number one reason the federal government is in trouble today is because it has a huge deficit, a deficit piled on top year after year after year. That government today is hamstrung from doing any real fighting in the recession because the deficit chews up too much of its money.

The shortsightedness of this party across the floor in believing that the government can provide all the programs that it has established in *An Agenda for People*, provide for those programs and not increase the deficit considerably, is naïve, it is shortsighted and it is not helpful or fruitful for the people of the province. It gives very few of them very little benefit.

There should be wage caps on public employees. I have no time for the argument that public employees should not have wage caps. The people in the private sector will be happy to maintain their jobs this year. In the public sector, some of these ministries are talking an average of 12% to 14% increases in their ministries. Do members realize that, in times of people getting laid off, plant closures, 12% to 14% increases in ministries? That is unreasonable.

1620

Again, I expect certain members of this party across the floor to understand that. There are obviously others who I do not think will have any understanding of it. They have never been elected to such a position, they have never represented these types of people, but they are going to feel it come next election, because a lot of these people are

not going to have jobs. They are still going to be out of work and the government is going to have allowed 12% and 14% increases in the public sector.

There should be a hiring freeze adopted. There is no need at this time to increase staffing at the provincial level, none whatsoever. No one is increasing staff. The Liberals increased staff by—I believe the number was 10,000 people over that period of time. We are up to something like 90,000 people working for the province of Ontario, which is unreasonable, too many. They are underworked, they are overpaid and there are too many of them.

The last time that a government looked at a hiring freeze was during the Conservative government. They cut out a considerable number of jobs that were very redundant. There is redundancy in the workforce. It should be examined and cut. It generates the government money to carry forward on the programs that it wants to do. It is only redundancy and it helps the government do the programs that it promised it would do.

The cross-border shopping issue is another painful example of dollars and cents, and the issue comes down to dollars and cents. People are crossing the border to shop in American cities because it is cheaper. Case closed. It is cheaper to shop in American cities. There are no two ways about it. People do not cross the border because it is more panoramic. They do not cross the border because they enjoy the drive. They do not cross the border because a relative happens to work at that border station. They cross the border because they can get products significantly cheaper than they can in Canada.

Many of the statements that were made at the cross-border committee meeting revolved around a number of issues, but what it came back to, and the consistent message we heard, was that it is less expensive to shop in the US. The question then comes down to the point of why it is less expensive. There has got to be a reason. There are a few points that some of committee members made. I see a couple of them sitting here today.

One was the interest rates. Yes, that does affect the price, there is no doubt about it. To the mark that it is today, I doubt we are going to see 50%, 60%, 70% less. The interest rates do not affect prices to that degree. Real estate was also mentioned. Yes, real estate can play a major role in cross-competitiveness but, again, it is not going to make up that vast difference in cross-border shopping.

The real reason can be examined in the gasoline issue. Why is gas cheaper in the US? Very simple, the provincial tax on gasoline is three times higher than the state tax. If it is three times higher, your competitive edge is lost. The federal tax is identical. The federal tax in the United States and Canada on gasoline was identical. The provincial tax is three times higher than the state tax. There is the loss of jobs. There are the cross-border difficulties that we are faced with. There is the reason why people can cross the border and buy things significantly cheaper. In this province people are paying a tremendous amount of money in taxes. That goes without saying: If you are going to get it cheaper, you are going to pay less with taxes, you are going to cross the border all day, all week, all month and all year.



The government can strike as many committees as it wants. They can give as many inducements as they want. Until they get competitive on the price point of view, just ask any retailer: You open two stores that are selling the same product. One person sells it at half the price of the next. The person who is selling it at half price is very busy. Why? Because people are intelligent consumers today. They shop price and they are going to shop price, and as long as we are not competitive we are going to have a flow of traffic cross-border. We may as well put K mart turnstiles up at the borders, swing them one way on Friday and swing them the other way on Sunday, because if we are not competitive we are not going to retain the buying power.

One of the members suggested we had to create more community pride in hoping to retain certain consumers. Maybe that would work to a small degree, but it will not be effective. The campaign will be effective for a minor amount of people, a small percentage, and then those people will be lost as well.

As retailers will tell you, if you are not competitive on price, you are not going to sell the commodity. It is that simple. If this government does not want to deal with the issue, that is fine, but it is absolutely pointless for it to strike committees, absolutely pointless for it to continue to go out consulting. They are going to hear one line: "If you're not competitive, you're not going to sell your product. You're not competitive because your taxes are too high."

The other difficulty that this government has is, as I said before, the Agenda for People. This party has no intention now of fulfilling the Agenda for People. It is a hopeless dream, it is a long-since joke. It is absolutely hopeless. I cannot believe they actually signed it. It was so hilarious that they even produced it, but to have the now Premier sign that document—I personally believe it will be the death knell for his next campaign, because people are going to pull out this Agenda for People and every promise this government is going to break.

The Minister of Agriculture and Food stood up here today and he got—there must have been a fresh supply of fish come in—standing applause from the backbenchers on announcing he is only going to break his promise by 50%. That is bonus; that is a superb government. This is what they consider success. "We're only going to break our promise by 50%." That is good. That is unbelievable. It is incredible that members opposite should think that is what they consider to be good government. They have the small business loans out there. They have the home ownership loans out there. They have 60% of education funding, minimum \$7 billion, minimum commitment.

We had the Minister of the Environment standing up here today, and honestly, it was embarrassing to watch her trying to defend a position that she had been putting forward from this side of the House. She has totally, absolutely reversed her position from when she sat on this side of the House. Members of the government party should talk to members opposite who were in this House before, should go talk to them about what the position was, should go ask them what the Minister of the Environment said

when she was on this side of the House. They should go get the facts, and I am asking them to get them from their own members, because the facts are very clear: She has totally reversed her position, changed her tune from when she was on this side of the House.

Those members from Durham will know, because come next election, those people in Whitevale will not be happy with the government's response. They will not be happy with this interim site. They will not be happy with this emergency power. They will not be happy with no environmental assessment hearing. They will not be happy with any of it. Those members are going to be in big trouble, and Norah Stoner and some of the other Liberals will be back, as well as a few Conservatives, I am sure, to remind the people of exactly what the government party promised.

In conclusion, I think the Treasurer has a very difficult job. I hope, and against all odds I hope this, that he has an understanding that any more increases in taxes are absolutely, totally unacceptable to anybody. I think it is very clear in any of the polls you see, any of the people you talk to. It is not even a question of they do not want taxes; it is a question of nobody can afford taxes any more. I would ask that all the honourable members opposite go back to their local ridings this weekend, walk down Main Street and knock on the doors of all those store owners, or walk into the manufacturing sectors or the industry sectors and knock on their doors and ask them, "How are you going to be able to afford tax hikes?" They will tell you they cannot.

I would ask this Treasurer, when he is doing his budget, not to ram the deficit. It serves no one's purpose. It is simply a cheap, political manoeuvre by gutless, spineless politicians to stand up and defend what they are spending the money on. It is nothing more than that. It is mortgaging our children's and grandchildren's future. It is gutless and it is spineless. If the Treasurer has not got the guts to stand up and defend his spending, then he should not spend it. If he has the guts, then let him spend it, but he should not put it on the deficit, because it only becomes larger and larger and more difficult to manage. I am not certain that the Treasurer will understand that. If he takes this home and reads it for a couple of days, he may.

1630

Last, I would hope that the Treasurer realizes that competitiveness is the most important issue we face in the future. It all comes back to deficit and taxes. Competitiveness is not necessarily just attracting industry, although I think, as I said before, it is important. Competitiveness has a lot to do with retaining industry, maintaining business, keeping communities operating, keeping jobs open. No one is going to be happy and very few will benefit if the programs that he announced today or in his budget cost business so much money that other businesses will have to close and people will lose their jobs.

It is economics. It is the sad reality of economics. They are going to have to learn it, they are going to have to understand it, and they are going to have to preach it back in their local communities, because I know they are going to be disappointed with the budget. They are going to be



disappointed that he did not implement his Agenda for People. They are going to have to study. They may have to pick up a book and read it. But it will be very interesting when they start defending the Treasurer and his position on the economy and his position on taxes and when he starts explaining to those people to go out to explain to their community why the Agenda for People is, totally impossible to continue and enforce and keep promises on.

**Mr McLean:** I just want to comment briefly on the remarks of my colleague the member for Etobicoke West. There is a lesson in what he has had to say here this afternoon, and that lesson goes back some many years. I remember when the Minister of Government Services at that time reduced the number of civil servants from 84,000 to 76,000 over a period of some six years. I remember that in the 1981-82 budget of the Treasurer at that time an incentive was put out with car dealers across the province, to the manufacturers across the province, a rebate in sales tax to stimulate the economy. We should not forget these things that took place back in the last depression, and I think the Treasurer would do well to go back and read some of the Hansards and some of the Treasurer's budgets in that period of time, because it will show that you can make do with less.

When you read the estimates of the ministries for 1990-91, with 1991-92 soon coming up, you can see the increases in many cases of 29%, and 15%, a tremendous increase in their budgets. Do members know where it all is? Most of it is all in administration. I have a copy of all the administration budgets in the estimates. Members can review that and it shows where the government over the last five years had an average expenditure increase of 11%. They cannot continue to spend, and the Treasurer would do well to go back and read some of those Hansards over the past several years.

**Hon Mr Pouliot:** With respect to the remarks by the previous speaker, namely, the member for Etobicoke West, regarding the role of the civil servants, I find it most difficult under the circumstances to sit idly by and have those fine women and men, who number in the tens of thousands and who on a daily basis, go beyond the call of duty, being referred to as "underworked and overpaid." I know that the member is a man of courage, and if so, he shall and will take advantage of the standing orders, which will allow him opportunity to do what is right—we all make faux pas, slip of the tongue—and to correct the record and to apologize to those people, because they, women and men, numbering in the tens of thousands, are making our jobs an awful lot easier, but more important, Ontarians, people who are paying this man's wages are benefiting indeed.

**Mrs Cunningham:** I have missed listening to you, Gilles.

Interjections.

**Mr Pouliot:** There is some acquiescence, a spontaneous response from some of our friends, and it is difficult, because solidarity is something that is cherished here, but again, more important, I cannot and shall not sit idly by while our brothers and sisters in the civil service, with no recourse, are being maligned.

**Mr Bradley:** A brief response to the previous member's intervention: I did not catch whether he said this or not, but I know his colleague the member for Leeds-Grenville did said so. I watched during the campaign. Everybody during campaigns runs a certain kind of campaign. I saw this ad that talked about 33 tax increases or something of that nature. Of course, that includes any of the fees that are involved in government and so on that increase from time to time; you count all those up.

What the member I am sure forgot, because I cannot believe that he would deliberately just talk about any increases in taxes, was that the previous government eliminated some 28 taxes that were put in place by the previous Progressive Conservative government.

Interjections.

**Mr Bradley:** I recognize that that always stirs up a little bit of trouble there. I recognize that those of us who sit in the official opposition some days, just as others in the House, have hoped to be on that side. I know that members have often heard me say, "The enemy"—I do not say that in an awful way or anything—"is over there." The Progressive Conservatives, some of them, not all of them, of course—

**Mrs Cunningham:** Not me.

**Mr Bradley:** Not the member for London North.

Some of them would see us as the enemy over here. I know the member for Leeds-Grenville had just forgotten the fact that the previous Liberal government had eliminated 28 Tory taxes and I wanted to help him out by reminding him of that in this House today.

I would say that, other than a few details and a few little glitches here and there, by and large, that measure, that approach, one of the first serious programs of this government, has been exceedingly effective and I believe has made a difference and will continue to make a difference in the communities.

Now it is not a panacea—it was never meant to be but it was meant to be a measured response by a government that cares, doing what it could in a time of the most serious recession since the Second World War. I feel very good about that and I think the fact that the opposition parties have not been able to lay a glove on that program by and large is proof of the fact that the program has been as effective as we had hoped it would be.

The suggestion has been made, and I suspect will continue to be made, that there should be neither deficit increases nor any increases in taxes, while at the same time we should be magically meeting a lot of the very serious needs that our colleagues across the way raise every day in question period, not the least of which is a lot of the social programs, the food bank needs that are out there, the education needs, the health needs. All of these needs we must meet and we have made obligations in An Agenda for People to do so. I feel very comfortable echoing the position of our government that over the course of our government, over the term of office, we will move to implement the promises and the commitments that were made in An Agenda for People.



What we are not prepared to do is to back away from the needs of a lot of people in this province who are looking to us to take as many steps as we can in implementing An Agenda for People as quickly as we can. But the members of the public want us to do it in a fashion that is responsible because they understand the depths of this recession. They understand the constraints that we are under and they want us to do the best job we can with those goals in mind, with An Agenda for People in mind. I believe that is exactly what we are doing and I believe that is exactly what the upcoming budget will reflect.

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The last thing I would like to talk about is the consistent argument that every time we raise a legitimate concern about a measure taken by the federal government, all we are doing is fed-bashing and passing the buck. I would be prepared to acknowledge that from time to time in certain answers, as has been the history of any government and any individuals, one will include in one's answer, in defence of measures one has taken, everything one can, even if it is a bit of a reach. I do not think it is such a breach of understanding to acknowledge that does happen from time to time.

But what I have a great deal of difficulty with is the suggestion that it is not fair to talk about what the GST has done to this economy and what it has done to inflation, which by the way is supposed to be the federal government's major attack.

Free trade: Free trade has exacerbated this recession of the province of Ontario beyond any measure, and that is hurting our ability to fight the plant closures that we are seeing. Free trade is an example of a measure taken by the federal government that has exacerbated this recession and has hurt this province more than if it had not taken that measure. It has led and induced a lot of companies to leave this province, and to not acknowledge that is to deny the facts, something the opposition says that we will never deal with, and yet on this question it is the facts. It has hurt the situation. It has caused more people to be put out of work than if it had not been in place, and we have every right and every justification, I believe, in saying so and acknowledging that.

The same holds true for the high interest rate and the high Canadian dollar, which almost every person who came before our committee in pre-budget consultations has acknowledged had a great deal to do with worsening and quickening the recession that we have in the province of Ontario.

I say all of this not to point out every bad measure that Prime Minister Mulroney and his Tory government have taken that has hurt this province, because I think that speaks for itself. I have raised it to acknowledge the fact that I believe it is legitimate from time to time to acknowledge what has caused the recession and caused the deficit which this government has had to answer for and which we have had to deal with. I believe, recognizing that this whole process of talking about estimates is a little bit silly in this case since these estimates were not ours in the first place, it has given us all a chance to talk about our favourite economic and budget issues.

But I do believe that the upcoming budget will show the commitment that this government is prepared to make to the promises contained in the Agenda for People, and it will do it in a fashion that protects and promotes the economy of the province of Ontario, which is what we were elected to do.

**Mr Phillips:** Just to respond to the member, I was intrigued because I think he felt that by perhaps yelling loud enough it became the truth. I just want to respond to some of the points that he made and to point out to the government my concerns about the employment situation.

Believe me, this government's job creation program of \$700 million is important. It will create, I think, about the equivalent of 20,000 person-years, jobs, over the life of it. Remember this, though. Every single day since they have come to power, 1,500 people a day have lost their jobs in this province: seven days a week, every single day. For five years, I might say, during the life of the previous government, every single day 300 jobs were created. So I am just saying to them, as they look at their employment creation programs, that it will take approximately 10 days of their regime to eliminate the 20,000 jobs that they are creating through the recession program. So they are going to have to have more than just that.

**An hon member:** That's important.

**Mr Phillips:** Yes, it is important, but they are not going to be able to spend their way out of this employment dilemma. They are going to have to begin immediately to create jobs—believe me, they are. They can say it is all the federal government's problem, but I will cite another case for them. At the same time as they have seen at least 200,000 jobs leave this province, six of the 10 provinces of this country have actually seen the job numbers increase. So it cannot all be the federal government's problem. Somehow or other six of the 10 provinces have been able to increase employment. So when they say, "Well, you're being too negative," when we say, "Do not blame the federal government," I think they can appreciate one of the reasons. As we look at the budget, government members, I say to them, job creation is going to be crucial. Every single community in this province is suffering, and now is the time for action.

**Mr Turnbull:** The first thing I will say in answer to the speech that we heard before is, tripe, utter tripe. Those are the only words that come to mind. During the election we heard the now Premier saying over and over again that he was going to tear up the free trade agreement. I have seen a lot of paper thrown on the floor here but I have not seen free trade hit the floor yet; very curious.

The Royal Bank came out with statistics the other day suggesting that there had been an increase in the amount of investment that had been made by Canadian companies in Canada directly as a result of the free trade agreement. Now, it must be most unfortunate to them when facts are brought forward by a completely independent institution which really violate their view of the world, but the fact is there are companies increasing their investment in Canada.

However, they are not increasing their investment in Ontario. Investment in Ontario is going down. Why? Because



their government was elected, because they have not provided an environment that business feels comfortable investing in. They have every opportunity any day of the week to tear up the free trade agreement if that is what they—they promised they were going to do it. Why do they not do it? I happen to think it is a good idea and I happen to think that the people of Canada will prosper in the long term.

Yes, there will be readjustments. We saw that in Europe. For example, when Britain entered the common market there was a wrenching readjustment; however, they became competitive. I think what this government has to urgently address itself to is our competitive position. We are now in Ontario the most heavily taxed administration in North America.

**Mr Drainville:** About three nights ago I was poring through my well-leafed copy of Edmund Burke. I knew we were going to be speaking about these estimates, and after hearing day after day the lugubrious outpourings of the opposition, I had the opportunity to read again the words that said, "It is a general popular error to imagine the loudest complainers for the public to be the most anxious for its welfare."

What we see is complain, complain, complain. The honourable member said he had words he wanted to speak to the House. I will give him words. The words are "jobs, jobs, jobs," said by Brian Mulroney, "sacred trust," said by Brian Mulroney and "rolling the dice," said by Brian Mulroney. Those are words that will come to haunt the economic situation in this country and in this province for years to come because when it comes to jobs—let me be clear about this—the government's aim has been very straightforward from the beginning.

1700

We have established a \$700-million program to ensure that the people of this province get the support they need in a recession. The honourable member opposite indicated all the jobs they created when they were in the boom times. They did not leave us with that boom time. They did not leave us with money in the till. We were left with a situation where we had to start from scratch, and we have.

As to the much-vaunted sacred trust of the Prime Minister of Canada, we are trying to establish assistance in this province to ensure that those who are in need are given the support they need. We are trying to ensure that rolling the dice is not the means by which politicians will make gains in their society, but rather that we will set coherent, good policies for the people of this province.

**Mr Bradley:** I thought when the member for Victoria-Haliburton rose in the House that he would in fact be rising either to extol the virtues of the government for spending money on a new logging road in Algonquin Park or denounce the government for building a logging road in Algonquin Park, because he will remember, in one of the press releases that came out, that one of the things the government was bragging about in terms of its anti-inflation program was spending money, allocating funds for the building of a logging road in Algonquin Park.

I know the member for Victoria-Haliburton is extremely concerned, and has been in the past on a very sincere basis, about the fact that there may be some valuable forests that would be disappearing. Where in the province of Ontario would we find people believing that Algonquin Park was anything other than a preserve? Certainly a New Democratic Party government would not want to encourage the kind of activity we hear is going to be taking place in Algonquin Park, with the possibility that motor boats will be running, the possibility of hunting and other activities the members of the New Democratic Party denounced while in opposition.

Because in principle the member was prepared to put it on the line, I would have thought he was prepared to go to jail in one particular case because he was very much opposed to a logging road, I thought he was going to rise in the House today to say he was prepared to lie down in front of the bulldozer, to go to the Treasurer, to go to the Minister of Natural Resources and say, "We shall not have a logging road in Algonquin Park, and certainly if there is going to be one, we should not be accomplices by providing the funding for that." I have been disappointed that in fact that has not been the case.

**The Deputy Speaker:** The member for Hamilton Centre, you have two minutes to reply. Do you wish to take them?

**Mr Christopherson:** I would just perhaps comment on the—

Interjection.

**The Deputy Speaker:** The member for Cambridge was wondering why he could not have the floor. We have a maximum of 10 minutes. The member for Hamilton Centre.

**Mr Christopherson:** The member for Scarborough-Agincourt talked about the need for job development and my colleague the member for Victoria-Haliburton talked about the fact that when we hear that argument, we cannot help but comment on the fact that we just went through the biggest boom this province has ever seen. There seemed to be so little preparation for this day which, given the cycle of business that we have, was bound to happen. Nothing was done. We find it very difficult to accept that in six months we are expected to eradicate all that neglect, although I will say that over the course of this term in government it is our intention to do just that. In the short term, we have done things like the wage protection fund which, although it comes after the fact and is not an answer for everything, is something that was on the plate of the previous government for an awfully long time. If it had been in place, then perhaps we would not have to scramble as we are doing to put it in place as quickly as possible to help those people.

What we are looking at is the future of this province. We are looking at where the growth is, what our position is, competitively speaking, in a new global world market. We understand that need. It is not going to be solved in the next few months, it is not going to be solved by the next question period tomorrow, but I believe by the end of this term in office we will have that plan in place that puts this province back on the course it belongs on, which is for a



strong economy to pay for the kind of social justice we all want.

**Mr Bradley:** On a point of privilege, Mr Speaker: I just listened to what the member had to say and I felt that my privileges and the privileges of all members of the House were affected by this, because he did not explain how he managed to speed up the environmental assessment process in Hamilton Centre for that road.

**The Deputy Speaker:** I think you, a veteran of the House, would understand that this is not a point of privilege.

Are there any other members in this House who wish to participate in this debate?

**Mr Mahoney:** On a point of order, Mr Speaker: It is my understanding that in the normal rotation, at some point we are going to switch to the Mines estimates. I know the minister is here and the critics are here, and it was my understanding that the parliamentary assistant to Treasury was indeed wrapping up that section. If I misunderstand, I would look for your direction on that.

**The Deputy Speaker:** When the motion was introduced, the debate was started by the minister. The rule says he has to close it, so therefore the parliamentary assistant cannot close the debate. The debate must continue until such time as there are no more people to debate. I understand that the member for Cambridge wants to debate. That is his privilege.

**Mr Mahoney:** Is it normal that there would be a proper rotation, since we have listened to the parliamentary assistant?

**The Deputy Speaker:** We have had the member for Hamilton Centre. The question was asked, "Are there any other members in this House who want to debate?"

**Mr Mahoney:** I believe there are.

**The Deputy Speaker:** No other members stood up except for the member for Cambridge; therefore I recognized the member for Cambridge.

**Mr Mahoney:** It was only on a point of privilege, that is all. You really are not going to stick to the rotation, because I think our members were anticipating that we were going into the Mines portfolio. Seeing the minister here, we were anticipating that happening. If that is not happening, then I believe we would like to continue the debate on the Treasury estimates and perhaps we have some folks who would—

**The Deputy Speaker:** There is agreement with the member for Cambridge that I continue the rotation. I will then recognize someone from this group. Is there unanimous consent?

**Hon Miss Martel:** My apologies. I will try to clear this up as best I can. I just got in from another meeting. It is my understanding that the member for Cambridge does want to participate in the debate, so we would like him to have the opportunity to do that. However that is accommodated is fine by me if there are other members on both sides of the opposition who do want to continue to participate.

**The Deputy Speaker:** Are there any other members who wish to participate in this debate? The member for Mississauga West.

**Mr Mahoney:** I was actually here today, Mr Speaker—

**Hon Mr Farnan:** Mr Speaker, a point of privilege.

**The Deputy Speaker:** Please take your seat. The member for Mississauga West.

**Hon Mr Farnan:** On a point of privilege, Mr Speaker: Given a ruling that I was recognized—

**The Deputy Speaker:** I asked if you would authorize that I continue in rotation and you said yes, so therefore I will recognize you after the member for Mississauga West has spoken, and a member for the Conservative Party, if that party so wishes. The member for Mississauga West.

**Mr Mahoney:** I thought that today our agreement—there is obviously some misunderstanding or miscommunication, because clearly the agenda for the day as laid out in advance under agreement by the House leaders, I believe, was that we would indeed deal with Treasury, then we would move to Mines, then if there were time left we would move to seniors and to Energy. I was prepared to speak on the senior citizens' estimate, but since it appears, it being 5:10, that we are not likely to get to the seniors' estimates today, considering the fact that the Solicitor General wishes to speak to Treasury, then I will address my comments, somewhat ill prepared, but I will think of something, with regard to Treasury.

The way this system works is that all of these estimates, as I understand it, tend to flow together and that we talk. I appreciate the fact that the Minister for Citizenship ordered some more letterhead and business cards and we will catch her later. The Minister for Citizenship, race relations, human rights, disabled and Senior Citizens' Affairs I have, with respect, referred to as the mother of all cabinet ministers, considering the size of her portfolio. She is here today, I think, anticipating that we would have dealt with senior citizens' estimates. Had there been some co-ordination on that particular point—not to get the House leader out of joint here; that is how I understood things were going to flow—the cabinet minister would have had an opportunity to deal with that.

1710

Let me deal with something with regard to the whole concept that we have heard which has to deal with living up to promises and to commitments.

One of the things that concerns me about many of the statements that come out of the back bench of the government is this concept that we have got to defend it whether it is right or wrong, this concept that they truly believe, even though we have sat through one full session of the Legislature. We are now into our third week, nearing the end of our third week of the second sitting of this Legislature, and we were all prepared to give the government the time and the Treasurer the time to implement the programs or to come out honestly and tell us, "Well, we really cannot implement those programs, we really cannot do what we promised we would do," and to back off of those positions.

But what do we get? We get people standing up in the Legislature, members of the back bench, almost like they are reading the notes that were prepared by Mr Agnew or someone else in the Premier's office. I think one of the



things that surprises the people of this province the most is that they really thought that even though they had elected a number of people who were inexperienced, maybe they would have some free spirits. There not only do not appear to be any free spirits. There appear to be a substantial number of what I refer to as trained seals. There appear to be nothing but members who are willing to sort of spout the party line instead of being concerned about the economic realities and what is happening in the province.

Talk to me about this deficit. I am fascinated that we have a minister over here trying to suggest that somebody cooked the books in his statement. The reality that we know is that there was, I believe, \$700 million in lost revenue because of the fact that there was reduced retail sales. So there is retail sales tax that has been reduced.

The Treasurer, when he held his press conference announcing this mysterious \$2.5-billion deficit that the government was supposedly left with, was asked as the very first question by the press corps—this is the facts—did the Liberals lie? I do not have to answer it; the Treasurer answered the question. He said, no, they did not lie, nobody lied. We had lost revenue from sales tax.

We had lost revenue from land transfer tax that no longer came in because the housing market was down. The parliamentary assistant or backbenchers should not stand up now and perpetrate a fraud upon the people of this province that the government has been left with some cooked books, because it is simply not true and they know it is not true.

All we ask the government is, put it out there and tell us what the problems are. We asked this in question period. Tell us of the economic program. Tell us what the Minister of Industry, Trade and Technology is doing. Tell us what the government is doing for small business.

I spent a year in that ministry as the parliamentary assistant in the small business advocacy section. I have met with all the groups; I understand their concerns and they are frightened to death of this government. The government wonders why, when it brings in legislation and just makes it retroactive. They just pull it out of the hat and say, "That is it, we are going to go back two or three months."

They know what I am talking about; I am talking about Bill 4. Not only do they make that retroactive, but because of the retroactivity of it, they actually wind up going back as far as 18 months where people had approvals and conditional orders. If it was not for our Housing critic, the member for Eglinton, if it was not for her tenacity fighting the majority in the standing committee on general government on Bill 4, in getting the minister to agree to a Liberal amendment, there would have been tens of millions of dollars thrown down the drain. What puzzles me and what they do not seem to understand is the economic reality, what happens when they just wipe out tens of millions, maybe hundreds of millions of dollars in contracts around the province, jobs.

I remember the very day after the Minister of Housing stood up in this House. This is their economic policy. They want to talk about Treasury estimates and their economic vision of this province. This is how it goes. Their Minister

of Housing stands up and he says: "Here is our new legislation. It is retroactive." I remember that night on the late news. I saw people loading up their trucks out of apartment buildings all around the province and the cameras were there. These were workers. These were supposed to be the government's people. These are supposed to be people who believe in the government's philosophy and they are scratching their heads and they are saying, "I do not believe this. Did Bob Rae really do this?"

**The Acting Speaker (Mrs Haslam):** We are talking about the Treasury.

**Mr Mahoney:** Madam Speaker, is there a problem? I am on Treasury. I am talking about the impact that a bill had on the job loss in this province. I would also point out to you that estimates go the entire gamut and everything that occurs in Treasury has an impact on every single ministry in this province. I think it is totally in line and I would hope that you would agree that we talk about the various ministries and the impact that the lack of attention perhaps that the Treasurer is paying to those ministries is creating. In the case of Bill 4 and the housing industry, what the government did is put thousands of people around this province out of work.

I am seeing a phenomenon. I received two phone calls this week from what I would consider upper-middle-income executive types, friends of mine I went to school with, grew up with. One of them is in the computer software business. The other one is in the mortgage insurance business. Good friends, known them for years; they have families, homes. One lives in Oakville. One lives in my riding. These are people who have had these jobs; they have been careers. They have had these jobs for 20 years. Each one of them has got—you do not care about them, I understand that. I do not care how they voted. One of the things that the members have to understand, and the NDP has such difficulty with this, is that once you are elected, you represent everybody in your riding. You represent the NDP voters, you represent the Liberal voters and you represent the Conservatives; you represent the independents and you represent the people who did not vote. It does not matter.

**Mr White:** On a point of order, Madam Speaker: The member is supposed to be speaking about the Treasury estimates, not giving us a lecture in parliamentary democracy.

Interjections.

**Mr Mahoney:** Was that a point of order? That was not a point of order. Maybe after they have been around here a little bit they will understand that the Treasury estimates, as I have said, impact on the entire province, on every facet of this province, on every aspect of this government. Maybe they should understand that. When I get a member chirping from the clouds up there and telling me what I should be speaking about, frankly I do not think he has a clue what he is talking about. On the estimates and on the matters of concern to all of us in this House, the people of this province would like to know legitimately and have a right to know what this government is prepared to do.



I have been sitting here saying do one thing, a baby step, that would be helpful, and what have we seen? I have already told the members. The first thing we see is retroactive legislation that puts thousands and thousands of people out of work, that bankrupts small landlords all around the province. These guys think that we live in the province of Ontario; the reality is that we live in the province of Ontario. They just pass shotgun legislation that may help certain aspects of Toronto. That is fine, but it has a rippling effect on the economy. Is there any concern about that? No, what I see is people blindly standing up, defending policies that they are not clear on, that they perhaps do not understand the impact of.

1720

**Mr Perruzza:** Point of order.

**Mr Mahoney:** They have a Minister of Housing who has already announced that he is incapable of delivering the 20,000 houses they were going to deliver.

**Mr Mammoliti:** Point of order. Sit down.

**The Acting Speaker:** The Chair would remind you that the point of order is for me to decide. I do not need you to tell the honourable member to sit down. Point of order?

**Mr Perruzza:** Yes, Madam Speaker. I have been listening attentively to the member for the Liberal Party—I believe he is from Mississauga—for the last 50 minutes and it seems to me that he keeps recycling the same message, not precisely using the same words or the same terminology, but it seems to me that it is the same message over and over again. According to the standing orders of the House, the arguments have to be fresh, the ideas have to be new and they have to lead to some conclusion, to some point. He seems to be floating and floating and floating and recycling the same argument over and over and over again, and I think that you are well within your purview to sit the member down if he continues to do that. That is my point, Madam Speaker.

**The Acting Speaker:** It is not a point of order.

**Mr Mahoney:** I understand there is a class coming up at the University of Toronto that is being conducted for new members of the Legislature.

**An hon member:** On cross-border shopping?

**Mr Mahoney:** No, it is not cross-border shopping. I do not believe they need to take a bus; they can walk to it. But I hope for the sake of some order in this Legislature that they have on that agenda a section that deals with what is and what is not a point of order, because frankly I find a lot of the time being wasted by the antics of the individuals.

**Mr Perruzza:** Point of order.

**Mr Mahoney:** Here comes another one. I rest my case.

**The Acting Speaker:** Point of order?

**Mr Mammoliti:** Madam Speaker, what does this have to do with Treasury?

**An hon member:** Good point of order, George.

**Mr Mammoliti:** Thank you.

**Mr Mahoney:** Madam Speaker, shall I stay seated while the member for Downsview makes another point of order, or would you like me to continue?

**The Acting Speaker:** I would assume, looking at the clock, that you are about to wind up, so you may continue.

**Mr Mahoney:** That is a very brash assumption on your part, Madam Speaker. I do not know on what you base that particular suggestion.

In any event, getting back to the estimates and the concern, what again the honourable members across the way fail to understand is the impact Treasury has on every ministry. I have said that and I have to repeat it because obviously it is not getting through. The Housing minister had said he would build 20,000 new units per year. He has to get that money somewhere.

We understand that they get a certain amount of money in the non-profit housing that is a pass-through from the federal government. We understand that. We understand that our government implemented the very first unilateral non-profit housing program in the country and we understand that the current government would like to carry on with that very sensible, good policy. But I have read quotes where the Housing minister has said he is unable to, because he has not got the money and he cannot get the money.

He has not come out in this Legislature with a statement. I have not heard a policy statement where this minister has come out and said, "I must rise, Madam Speaker, to tell you that because I'm broke and I can't get the dough in my ministry and the Treasurer won't give me any allocation, I can't build any more houses." I have seen little quips and quotes and concerns about that, but I have not seen it. What is the Treasurer doing to address that? We hear all kinds of things. We hear that this budget is going to start us on the road to solving all of the problems and the promises that were laid out in the Agenda for People.

I heard my honourable colleague the member for Scarborough-Agincourt the other day ask the Ministry of Health for help. Talk about a ministry that eats up, what, over one third of our tax revenue. One third out of every dollar that comes in here goes out to the Health ministry, yet I heard the member for Scarborough-Agincourt ask a question to the minister, get a non-answer and then plead with her to give an answer that he could take, with some believability, back to his people. The problem we are having is that we are not getting the answers to the questions that we have an obligation to put forward.

If the problem is in Treasury, then the honourable Treasurer should tell us that. If indeed that is not where the problem is, then perhaps the honourable Treasurer should point some fingers as to where the problem is. Is there a lack of understanding or comprehension? We want to be reasonable. We want to be fair. How much time does he need?

Let's talk about the Ministry of Community and Social Services. We have a minister who was asked what is she prepared to do to help in this recession, to help end food banks. They do not want to be institutionalized. What do



they do? The very first thing the minister does is put \$1 million in their hands and they say:

"We don't want it. We don't want to be institutionalized. We want you to abolish it. Take the \$1 million and put it into housing, because the way you solve the hunger problem in this city, in this province, is by providing shelter to single parents and the working poor so that they are not paying 50% and 60% of their income out to put a roof over their kids' heads. That's the way you solve it."

**Mr Sutherland:** You did it for five years.

**Mr Mahoney:** Well, let the government tell us how long it needs, I say to the member for Oxford. Tell us how long. They have had eight months now. People keep saying it is six, but it is really closer to eight. We are prepared to get some answers. Let them put out an agenda. They put out An Agenda for People. The member for Scarborough-Agincourt calls it the agenda for power, and rightfully so, because that is all it was. It laid out a government program. We would like to see the government's agenda today.

I do not know what five means. Someone is flashing five at me. Is that a high five perhaps?

That is our frustration. We sit here as opposition and we say, "We've got four years of this, four more, maybe a bit more, and we would like to see some kind of constructive proposals coming forward." We need to have something to criticize other than inaction, and every day in the House that is what happens. We get a few announcements from the Attorney General, doing some good things that are all Liberal policies, that were all put in by our government. Take a look at the acts on Orders and Notices. Take a look at them. All this government is doing is instituting Liberal policies. They are not putting forth any kind of platform that they can be judged on or that we can criticize in a constructive way to put forward amendments. They are doing nothing.

**The Acting Speaker:** I would ask you to continue talking on Treasury estimates.

**Mr Mahoney:** Madam Speaker, I would look to you for some direction, because as I have said before, the Treasury impacts on every ministry. I am talking about the impact that the various line ministries have as a result of their lack of co-operation from the Treasurer. I do not know how I can be any more fair or any more clear than that.

**The Acting Speaker:** I have been listening very carefully, and in the last few lines I felt that you strayed just a little too far. You may continue on Treasury estimates.

**Mr Mahoney:** I will attempt to satisfy your needs in that regard, Madam Speaker.

The reality is that this province is in an economic recession. We have heard the parliamentary assistant describe it as the most severe since the Depression. Yet we hear about the Minister of Industry, Trade and Technology having afternoon naps in his office instead of addressing the issues that are of concern to the people of this province.

Interjection.

**Mr Mahoney:** I said, "We hear," with good authority. We know a few folks at MITT.

What concerns us on this side of the House, aside from the sensitivities and inability of members opposite to face reality, is that we are not seeing anything out of the honourable Treasurer to be brought forward in a constructive way. We look forward to the budget. While I do not worship at the altar, to quote the former Premier, of a balanced budget, I do believe it is important that there should be responsibility in deficit financing and that if the—

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**Hon Mr Pouliot:** You don't have to kill the clock, Steve.

**Mr Mahoney:** I could kill the clock and probably start up again tomorrow if the minister wants me to. No problem.

While we understand that it is important that certain programs be implemented, we are very much afraid, and I can tell members that the small business community is very much afraid, that there will be a deficit ranging in the \$6 billion to \$10 billion range, that we will start on a proportionate basis approaching the travesty that exists in Ottawa under this lack of economic leadership.

The minister points out that we will start approaching the deficit problems in the United States on a proportionate basis, and that causes grave concern, I believe, to the business community, and the signals that have been sent by this government are that either it does not understand or it does not care, "We are going to lay most of our foundation in dealing with our good friends in the labour movement and we are going to set our policy and our direction based on dogmatic philosophy that has no place in this free enterprise society."

The estimates that we are going to be moving to, and I look forward to addressing many of the concerns around the Senior Citizens' estimates when we finally get an opportunity to get there, but I think that those are issues—that is not a line ministry, but there are five specific areas in there that require funding attention by the Treasurer and they are not being put forward.

We have not heard about any serious funding commitments about northern Ontario. This anti-recession fund of \$700 million has generated \$34 million people, out to the actually on the street, \$34 million out of \$700 million, and yet how many times have we heard this Treasurer reannounce and reannounce his anti-recession crusade? I think it is a charade. It is a disgrace.

Now we have the Minister of Transportation admitting that the money that goes to the municipalities need not be used for job creation. They can use it, if they wish, to deliver a service to the community that, in a municipal election year, they might find of some interest and some benefit to their constituents. They need not create jobs with it. There are no strings.

What we have got are unconditional grants to the tune of \$700 million, \$34 million of it disbursed willy-nilly throughout the province, the balance still waiting, I assume, for all kinds of wonderful presentations where NDP members can show up and say, "Me and the Premier brung you this cheque," and they can just simply feather their



own nest and further their own cause. In some cases, we have even had defeated NDP members making announcements of some of these dollars going out in ridings—an absolute disgrace, and I think the Premier himself was totally embarrassed about it.

**Mr Jackson:** Which Premier was that?

**Mr Mahoney:** The present Premier. Which Premier is the member talking about, Bill Davis?

Mr Speaker, back to you. I am getting all kinds of signals, and I will save some of my energy for my work as the seniors' critic for our party to work with the honourable minister. And I appreciate the fact that she has sat here, and due to some miscommunication, perhaps on my part, we have not had an opportunity to get to the seniors' estimates, but I would certainly hope that we will, because there are many concerns, and I think the minister knows there are many concerns, that revolve around how we treat our seniors and what this Treasurer is going to do. Members want to talk about Treasury estimates, what this Treasurer is going to do for senior citizens in this province. Up to now they are being ignored, I say with respect. They are being totally ignored. The only programs being implemented are Liberal programs. That is true of every ministry, so perhaps the minister need not yet feel ashamed.

But, ladies and gentlemen, it is time to get to work. It is time. They may be on a honeymoon. The people of this province are not on a honeymoon. They are out of work. They are out of work and many of them are out of food and they are out of luck and they are looking to the government for help.

**Mrs Cunningham:** I believe that we are all here this afternoon to listen to the debate on estimates, and I also believe that in looking at the estimates I have to say that up until now the Treasury was one of the few, if not the only, forecasting agency projecting positive growth in Ontario in 1991, and that was in spite of everything that was happening in our country. As recently as January we saw the Treasurer saying that growth would expand by 0.5% in real terms, and unfortunately we now see in March that he is saying it will actually shrink in Ontario by some 3%.

My great concern in listening to the debate this afternoon is that again we have not heard anything that will encourage the public of Ontario in this government's programs for, first of all, making our province more competitive, and I am now talking about skills development, skills training, giving people hope, preparing people for the future, instead of just always, in a very negative fashion, talking about how bad things are.

We do recognize the \$700 million that was put forth as a first step, but there have even been criticisms of how that money is being spent and we are depending on the government to come back and give us a good evaluation of how that program is working.

In the few seconds remaining, I would like to leave the government with our observations of a meeting in London last week where a labour leader paints the grim picture of jobs, and this was at a very happy occasion when the London Unemployment Help Centre was given a cheque for \$200,000 from the Ontario Minister of Labour. We had

to sit there and listen to the worst speech, given by Gord Wilson, president of the Ontario Federation of Labour. For those members who know him, go talk to him. It was the most depressing speech I have ever had to listen to—nothing positive at all.

**Mr Hope:** It is a pleasure to speak on what was supposedly a debate about the estimates in themselves and about the government and what we are doing today. As I start listening to some of the good economic times I hear, "What are you doing to help the workers currently today?" As a person who has represented workers for 13 years I started to listen to some of the comments, saying "What are you doing? You are listening to the debate today about the free trade agreement, about being competitive." Nobody has ever given an explanation about competitiveness other than called it concessions to the members' wages as we look at it.

But I would like to refer back to the good times, to when we talk about the good economies under the Liberal government when it was in power during the three years of the accord and the two years after when it held the majority government and did not put forward an agenda that the people could accept. As we start looking at the good economic times, we start saying, "Well, how come the NDP isn't doing something today?" During good economic times we did not prepare ourselves, and I am talking about the government at that time did not prepare itself, in making sure that we could stay in that competitive market.

We heard the member for London North stating about skills development programs. All that the government did was put money into the program and not develop a good program that would make us effective in the high tech that was coming to us.

When he talks about our education course, that we represent everybody in our constituency office, let's make one thing clear: Most of us who come from the labour movement have represented all people at all times, whether it be through our organization or through the people in communities who did not have the pleasure of belonging to a labour union. We represented them in making sure. Now when he can give us an explanation talking about a course at university, it is undermining. We are used to that. We know how to represent our people.

**Mr Phillips:** I want to compliment the member for his remarks and to compliment him particularly for responding to what I think was an unfortunate comment by the member for Lake Nipigon, who said that he inherited books which were cooked. I think the Treasurer would be the first to acknowledge that that was not the case, and as you look at the books, the Treasurer would say, "Those books that we inherited were exactly as the Treasury prepared them and reflected exactly the conditions as they were found."

I would point out to the members opposite, and particularly to the member for Lake Nipigon, that a majority of the deficit that they have this year is as a result of spending decisions that they decided to take. They will find out as they analyse it. It is very nice to lay it on the previous government; I realize it is very convenient. But the books



were not cooked, and the Treasurer will be the first to acknowledge it. It was only a month ago the Treasurer was saying that the deficit would be \$2.5 billion. The Treasurer is now saying it is \$3 billion. We do not say the books were cooked. It was only four months ago I said in the House that I felt the revenues should be substantially higher, and indeed the revenues are substantially higher.

So I resent very much the comment, which I think Hansard would support, that the government inherited books that were cooked. The Treasurer himself I think is an honourable individual who would acknowledge, as the Speaker did, that the books it inherited were exactly as they were and as they should be.

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The last point I would make is that as one looks over a five-year period, the previous government did indeed balance the books, indeed had a surplus every year that the previous government was in. The deficit was reduced until there was a surplus. So I am very pleased that my colleague was able to clarify the fact that the government inherited books that were not cooked.

**Hon Mr Pouliot:** On a point of privilege Mr Speaker: With the responsibility for francophone affairs, having to be subjected, on a point of personal privilege indeed—I for one make it a point of honour not to impute motives. I am really appalled and shocked that the people I represent would have to face, with the highest of respect, such a disgraceful display. This is not a pool room. This is not where the worst of society comes to congregate. We have serious business. The member is the one, and we have no business—

**The Acting Speaker (Mr Villeneuve):** Order, please. It is not a point of privilege. It may well be a point of information. It may even be someone's opinion. However, it is not a point of privilege, and I will now recognize the member for Burlington South.

**Mr Jackson:** I appreciate very much the old adage that if you scratch an NDPer, you will find a Liberal in a hurry, or if you scratch a Liberal, you will find an NDPer in a hurry, or however that expression goes. There is also another expression I appreciate very much, and that is that it is unfortunate when people get elected to this House, when they are in government, they sometimes act in an arrogant fashion, and when they are in opposition, they sometimes act as though they are self-righteous. I just wanted to publicly thank the member for Lake Nipigon and the member for Mississauga West for treating us to both those important emotions.

I also wanted to thank the member for his long presentation on the economy. He should get some sort of award for speaking for 20 minutes without once mentioning 53 tax increases in the preceding five-year period. He should receive some sort of award. Then again, I understand that he went through an entire election without mentioning it and that was some sort of record of 45 days.

But more important, to the members of the government who stand in their place, particularly the member who is so enamoured by his roots in labour, who is not sitting in his seat so I cannot find his riding—Chatham-Kent—I remind

the member, if he believes what he said in this House, then I ask him to approach the Treasurer about his blatant discriminatory funding policies for day care workers in this province.

There are CUPE workers in this province who are working under contract in private day care centres and the government has discriminated against them by not funding them properly. The truth of the matter is that the Treasurer has all the money he needs to buy those private operators out, but the government has not got the money for those women for their pay equity, and they deserve it.

**The Acting Speaker:** We have now had our maximum questions and/or comments. I would ask the member for Mississauga West for a two-minute rebuttal.

**Mr Mahoney:** Mr Speaker, I would not describe them as maximum. I guess you meant time-wise. Certainly with the exception of my colleague the member for Scarborough-Agincourt, I thought they were lacking and were nowhere near maximum and were obviously not well thought out.

**Mr Abel:** Sounds biased to me.

**Mr Mahoney:** I am a little biased. I think he makes a lot more sense than the member does.

Let me just tell you, Mr Speaker, that what I have been trying to point out—and you will notice I was trying to be serious, because I think this is such a critical issue, the economy and where we are going and what the government is doing—I really want the members to think in terms of, and I have said this to the members before, what they say to their people back home, like the two fellows I told them about who phoned me this week who are now out of work. They have lost those jobs. What do I tell them? "Send me a copy of your résumé and I will be happy to circulate it wherever I can." But in reality, what do you do about it? The government is supposed to have job creation. Well, that is exactly what the government is doing. It is supposed to have—

**Hon Mr Pouliot:** We created 54 jobs on this side.

**Mr Mahoney:** No, not work creation for the people opposite. We know that they have a lot of make-work programs in their offices and we know that they can shuffle memos back and forth and they can give non-answers in question period. We understand that. What we need are job creation programs, to the member for Oxford, who does not understand work. He just got out of school, for goodness' sake. They need job creation programs.

They should talk to the Minister of Tourism and Recreation. They should talk to the only minister up there who has any understanding of what it is like to have to work in the real world. He has a business. The rest of the members of the government all live in a dream world, a bunch of little socialists, sitting in a back room trying to plot overthrows. They have not got a clue; they have no policies and they have not done a damn thing.

**The Acting Speaker:** I would like to remind all members to place their comments through the Chair and maybe it would not agitate everyone quite as much as it has.



**Mr Cousens:** I am inclined to believe that the Liberals need a tetanus shot. It just seems as if, when they rushed out of government, they did not have the full medical. That was then; this is now.

**Mr Mahoney:** Now we are going to get it from the pulpit.

**Mr Cousens:** Yes, the member will get more than that if he can sit in one place long enough and let someone give him a lesson or two.

It is unfortunate that this House does not have the Treasurer here to suffer the abuse that he just went through, because I would like to put him through some more. There is a sense in which today a number of us from this House, certainly from our caucus—I saw our leader the member for Nipissing and as well about five deputy ministers who attended the Fraser Institute roundtable luncheon when Sir Roger Douglas spoke. Sir Roger was the finance minister for the government of New Zealand from 1984 to 1988. His subject was how the government of Ontario can achieve socialist ends by capitalist means, so we were all there hungry for information to find out just what might happen. He had some very excellent points which our Treasurer—and if I had known he was not going to be there, I could have probably arranged to get him a free ticket.

The fact of the matter is that what we really have to look at are jobs, employment opportunities, the creation of an environment in which business can prosper and in which our society can build and grow. The government does a great deal to help create that environment if in fact the government is not contributing to it but sucking like a big vacuum the lifeblood of the whole productivity of the province through overtaxation. Is it any wonder then that businesses are closing down, moving elsewhere and not able to thrive in a competitive way in our own province?

Part of the message that the honourable Sir Roger Douglas gave us today had to do with the importance of maintaining a competitive scene in the economy. That is one of the things they set out to do in New Zealand, to allow businesses to be competitive with one another. Instead of letting the state run everything, instead of having the state regulate everything, they opened up the market system. Instead of just saying the state had to own everything, they were more interested in allowing others to get involved. In fact, quite surprisingly in that environment of socialist New Zealand, which it had been for so many years with the changes they brought about, they were able to free up the economy. They were able to sell off the telephone system. They were able to improve service. They were able to introduce other competitive fixtures.

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One of the great dangers that is happening here in this province right now is of the high cost of doing business. The workers' compensation costs, the high cost of the employee health tax, the high cost of pay equity, the high cost of taxes, all of these things combined, which make it a beautiful province to live in, are making it uncompetitive, uncompetitive for other businesses, other people to come into this province.

While this government is in power, the great danger is that these companies that might be looking at an opportunity to establish their business in Ontario are moving elsewhere, and those that are here are moving out.

I am not just talking about the insurance industry; we are seeing it happen with State Farm. They went and started to build a new head office in Scarborough. They dug the hole, got it started, and then the president of State Farm chanced to have a meeting with the then Minister of Financial Institutions. When he learned just how poor a direction this government was taking, he went back and cancelled the whole construction project. Therefore, all you have is a hole with a fence around it, and State Farm will not be building that new edifice in Scarborough as it had originally planned.

That is what you call government interference, government cutting into the free enterprise system, government coming along with its own set of rules and regulations and therefore prohibiting the free market system from somehow floating to the top with the best to survive and people will be served. The government could act as a regulatory body rather than one that takes it over. You know what happens when government takes over anything; it kills it.

Unfortunately, 38% of the population of Ontario felt that it was time for a change and gave it to this government. This government will destroy Ontario not through all the small things; it will be through a combination of those things. You just keep adding all these little things up and before you know it, why establish a business in Ontario? Companies and businesses will not. This government is not giving an incentive to the small business person to come out and start a business, because what it does is it takes all the money away from him or her. Anyone who has a small business today, if they—

**The Acting Speaker:** Order, please. On a point of privilege, the honourable Minister of Mines and member for Lake Nipigon.

**Hon Mr Pouliot:** Merci. Je m'excuse. I have to apologize first and foremost, of course, to the member for Markham, who was doing so well. I have made a faux pas for which I wish to apologize. It does not come easy. In a moment of passion in the debate I have questioned the accounting system employed by the ancien régime, and I could have used the term, "cooking the books." I wish to withdraw those remarks with apologies to the House. What I meant to say was that one had to be a mathematical genius to begin to understand the way they conducted their accounting business.

**Mr Cousens:** The member for Lake Nipigon is a very honourable man; he is very careful to follow parliamentary procedure, not to call people hypocrites and not to call them liars and not to call them other things, because that would be wrong. So I commend the honourable minister for his way of getting around the parliamentary procedure. I happen to respect the way in which he twists the words in such an intelligent way. I do want to—

**Mrs Cunningham:** He is such a tricky one.

**Mr Cousens:** Oh, he is a tricky man.



There are other subjects I wanted to touch on in the many hours that remain. First of all, the tire tax. The government is now collecting \$5 a tire. Where is it going? This government has got well over \$100 million in the tire tax fund. How much of that is going into recycling tires?

National Tire in Toronto has to bring in imported shredded tires from outside this province to have them used in its recycling process. Less than \$10 million has been spent by the province of Ontario in promoting recycling and yet it has well over \$100 million in that pot. I have to find that extremely unacceptable.

You cannot look at a ministry today without being critical of the way in which it is failing to address the needs of our community and the way it is breaking the dream. There is not any doubt in our minds that the honeymoon is over for this government. After six months in office we are beginning to realize just how it is failing the people of Ontario.

In my own area in York region—and there is still a chance the honourable Minister of Community and Social Services will correct the situation—the children's aid society has threatened to resign because it is not getting sufficient funding to maintain the services of the society. Here we have the fifth largest children's aid society serving the fifth largest number of people in the province and it is getting the 13th level of funding. So something is seriously the matter. It was not corrected by the Liberals and it has to be corrected now because the inequity that is taking place within our community is certainly a serious problem, so that is one other ministry. When you look at the Ministry of Community and Social Services talking about serving the needs of people, in our own community we have the Water Street project, where we are hoping to have accommodation of seniors and others with physical handicaps in the same building, we have the building under construction and the money is not forthcoming from the ministry—a tragic situation.

What about employment for students this summer? When you look at the economy, this government is not doing a thing to help students and yet tuition next year will go up approximately \$500. I understand York University is going to increase the cost of room and board by another \$500. It could be \$1,000 more per student next year, so what are they doing about it? What is going to happen to help create an environment for jobs for young people this summer? I happen to know the number of people who are concerned about their own young people who are going back to university, want to pay their own way and cannot do it because there is not a job out there. There are thousands of university students, thousands of others in this province who are going to be impacted just by what it is doing as a government in failing to address the needs of young people in our society.

I have to see it as a serious problem when in fact its own Ministry of Natural Resources is cutting back on the Junior Ranger program. There are certain things the government can do and one says, "It is good to cut back." I want see us be fiscally responsible, but I want to see us create a climate where people can have a job—that is the basis of a strong society, so that a person can go out, earn his money and look after his home and his family and be responsible for himself—create a climate in which people will want to be enterprising and competitive, not a climate in which people are saying: "I wish I could move to the United States. I'd like to get out of here. I'm sick of what's going on in Ontario." People cannot afford to pay the double-digit tax increases on their property taxes, education costs continue to go through the roof and who is paying for it? We are seeing every level of government abdicate its responsibility to the taxpayer and we are beginning to see a tax revolt which is just beginning. It is a snowball that is rolling and it is going to get bigger and bigger.

The House adjourned at 1758.



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
<b>Akande, Hon Zanana L.</b>	St Andrew-St Patrick	NDP	Minister of Community and Social Services
<b>Allen, Hon Richard</b>	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
<b>Boyd, Hon Marion</b>	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
<b>Buchanan, Hon Elmer</b>	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
<b>Carter, Hon Jenny</b>	Peterborough	NDP	Minister of Energy
<b>Charlton, Hon Brian A.</b>	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economic Development
<b>Churley, Hon Marilyn</b>	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
<b>Cooke, Hon David S.</b>	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
<b>Coppen, Hon Shirley</b>	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
<b>Farnan, Hon Mike</b>	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
<b>Gigantes, Hon Evelyn</b>	Ottawa Centre	NDP	Minister of Health
Grandmaître, Bernard	Ottawa East	Lib	
<b>Grier, Hon Ruth A.</b>	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Hampton, Hon Howard</b>	Rainy River	NDP	Attorney General
Jansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
Jarnick, Charles	Willowdale	PC	
Jarrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Jarris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Jaslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Jayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Jenderson, D. James	Etobicoke-Humber	Lib	
Jope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Juget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	
Kwinter, Monte	Wilson Heights	Lib	
<b>Lankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Martel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>North, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
<b>Philip, Hon Ed</b>	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
<b>Pilkey, Hon Allan</b>	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
<b>Pouliot, Hon Gilles</b>	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
<b>Rae, Hon Bob</b>	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
<b>Swarbrick, Hon Anne</b>	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
<b>Wark-Martyn, Hon Shelley</b>	Port Arthur	NDP	Minister of Revenue
<b>Warner, Hon David</b>	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
<b>Wildman, Hon Bud</b>	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Diemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

## COMMITTEES OF THE LEGISLATIVE ASSEMBLY

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 Clerk: Lisa Freedman

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 Clerk: Franco Carrozza

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 Clerk: Tannis Manikel

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#### Social development

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 Vice-chair: Joseph Cordiano  
 Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer  
 Clerk: Lynn Mellor

### SELECT COMMITTEE

#### Ontario in Confederation

Chair: Tony Silipo  
 Vice Chair: Gilles Bisson  
 Members: Charles Beer, Marilyn Churley, Ernie Eves, Charles Harnick, Margaret Harrington, Gary Maldowski, Steven Offer, Yvonne O'Neill, Fred Wilson, David Winninger  
 Clerk: Tannis Manikel

### SPECIAL COMMITTEE

#### Parliamentary Precinct

Co-Chair: David Warner  
 Co-Chair: Noel Duignan  
 Members: Dianne Cunningham, Remo Mancini, Irene Mathysen  
 Clerk: Smirle Forsyth



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# Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Thursday 4 April 1991

# Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Le jeudi 4 avril 1991



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 4 April 1991

The House met at 1000.

Prayers.

## ORDERS OF THE DAY

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### ELECTION AMENDMENT ACT, 1991

Mr Mills moved second reading of Bill 65, An Act to amend the Election Act, 1984.

**Mr Mills:** The amendment that I am moving today makes such profound common sense that it makes it difficult for me to debate this item because I am sure that my colleagues on the government side and the honourable members in both the opposition and the third party will see the logic in this amendment to the Election Act.

In the last election, I narrowly squeaked by originally and it resulted in a judicial recount. As members know, a judicial recount gives everybody the opportunity to look at the ballots and to argue what is acceptable and what perhaps is not. I noticed that on several occasions the people had indicated that they wanted to vote for me and they spoiled their ballots by putting on the back of their ballots the party affiliation that I was representing. That caused quite a bit of grief in so far as the count went.

I know that this subject has been of much discussion dating back over many years and back into 1970 and nothing previously has ever been done to address this problem. Ontario traditionally has been reluctant to address this problem, as it thought, in the bygone era, that the person representing the riding was all important and the party affiliation was really not there, that the people elected were there to represent the people. In 1976, political parties were legally recognized throughout the province of Ontario through the Election Finances Act.

At the present time, when you go into a polling booth there is a small sign, and I will hold it up and show members. This is the actual size of this sign and it just indicates the parties that the people are intending to vote for. It is about that size and of course you cannot readily see, especially if you are getting along in years, who is who.

In the last election, I remember—and I see the honourable member for Simcoe East is in the members' gallery there. I believe he had some sort of problem in his election whereby two candidates by his name ran for the same position and I believe—I stand corrected if I am wrong—that he took some steps to try to have the Progressive Conservative logo imprinted on the ballot. Of course, he was not successful in this because you are not allowed to do that sort of thing at the present time.

In my research in this case there have been at least two candidates in recent elections who have used party logos to indicate that they were members of a particular party when in fact they were not, and this caused all kinds of embarrassment and problems the real candidate.

I think that this amendment is very good because it now requires a written statement signed by the party leader before you will be able to get your name and party affiliation on the ballots, so that is a big step forward.

It removes all the confusion. It stops people jumping up and saying that they purport to represent a party when in fact they do not. I do not have to remind the honourable members here of the last-minute problems that occurred in the last election over a seat in Brampton, where we had one candidate who was recognized—

**Mr Callahan:** It is a good thing that happened.

**Mr Mills:** That is why the member is here. Anyway, the honourable members know the confusion that little episode caused.

This amendment is so very, very good and so sensible that I am finding it increasingly difficult to get sort of really worked up and into a debating mood, because it is rather like watching paint dry. That is not very exciting, but nevertheless this amendment to the Election Act is one that really should be addressed and it should be supported.

We talk about the provinces that do this now—there are provinces all across Canada that mark the ballots with the political affiliation. In Alberta the party name is printed following the name. In British Columbia it is the same way. In Manitoba a candidate is endorsed by a political party, registered with the chief electoral officer and then has the registered name or abbreviation of the party printed following his name. In New Brunswick it is much the same, a little different in that there is no provision for someone marking the ballot as an independent.

Newfoundlanders at present are the only ones, like us in Ontario, who do not allow party affiliation on the ballots, although in Newfoundland they still put down what you do for a living, be it a fisherman, a doctor or whatever. We of course do not do that. In Newfoundland the chief electoral officer has recommended that the Election Act be changed to allow for the provision that I am talking about here this morning, so in Newfoundland they are addressing this problem as well.

In Nova Scotia the name of the party is printed following the candidate's name, and if a candidate is not running in Nova Scotia, then the word "independent" is printed under his name. In Prince Edward Island the political affiliation is printed following the name, and again, there is no provision for recognizing someone running as an independent.

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In Quebec the authorized political party appears under the name of the candidate, and if a candidate is not running for an authorized party, then the word "independent" is printed. In Saskatchewan, it is the same thing. The candidate is endorsed by a political party registered by the chief electoral officer; then the political affiliation appears in brackets beneath his name.



In the Northwest Territories there is an exception. As everybody in this House probably knows, there is no political affiliation in the Northwest Territories and in this case no political affiliation, of course, would appear underneath the name of the candidate. In the Yukon the name of the political party endorsing a candidate appears under the candidate's name. Again, if he is not endorsed by a registered party, then the political affiliation of the candidate shall be described on the ballot as the word "independent."

So Newfoundland and Ontario are lagging behind in this change that makes such good sense, and Newfoundland is taking steps to right this wrong.

I close off my remarks by asking for full party support of this change and I am sure that everybody will benefit. There is a hidden benefit there about the environment, the way I see it. I know in the last election, a candidate who ran in the riding quite close to me took it upon herself not to use any signs at all, she was so environmentally sensitive. This cost that lady that seat, I feel. Now, if we can put this on the ballots, some of us might in the long term either think about messing up our whole ridings with signs or even think about a reduced plan, because after all, the whole object, as I see it, of signs in an election is to identify the candidate with a party and with the electorate. This amendment to the Election Act would go a long way to resolving the issue.

I thank all members for listening and I hope that they will support it.

**The Deputy Speaker:** Before I recognize the member for Brampton South, I would like to recognize a former member of this House, Howard Sheppard. Howard represented the constituency of Northumberland. Welcome to Queen's Park.

**Mr Callahan:** It is a pleasure to rise and speak on this bill introduced by the member for Durham East. But before I do that, I have always been a firm believer that the electorate should have as much information as possible about the candidates they are going to support in an election, so therefore putting their party affiliation on the ballot is certainly giving more information to the people.

Having said that, the difficulty and the problem is the frailty and the inadequacy of private members' hour. There has never been a private member's bill that has ever made it into legislation, other than one on daylight saving time. So what it means is, as we debate in good faith this very important issue in this House and other issues, they will never find their way on to the government agenda. If members do, they make history. However having said that, I would like to address the bill itself.

As we all know, in elections in the parliamentary system in Ontario, 75% of your vote actually comes from the leader. If he or she is popular, it becomes very easy to run and you really are just picking up about 25% of that vote. So that, in a sense, is important in terms of having the party affiliation on the ballot if your leader is popular.

Just for example, if you were in British Columbia now and Mr Vander Zalm were still Premier, I do not think that this type of bill would be presented to the House, because you certainly would not want to be identified as a Social

Credit member running under Mr Vander Zalm. I just give that as an example that once you put it there, it is there for good. You do not get it off again.

It is interesting as well, as the member for Durham East indicated, that the only two provinces that do not have it on the ballot are Newfoundland and Ontario. I will give a little history lesson as to why Ontario does not have it. For 42 years the Conservative Party ran by natural birth and inheritance. Nobody else had a chance. Of course they did not want to identify themselves on the ballot because most of them were so well known, they had been around so long that they knew that their party faithful would come out and support them.

In fact, a curious situation arose in my riding. I ran in 1977 and 1981 against former Premier Bill Davis in my riding, and the NDP of the day, I think it was in either 1981 or 1977, put a Davis on the ballot. They did that innocently enough. They did not want to confuse the public, I do not think. In any event, up to that point in time the former Premier was always known as W. G. Davis on the ballot. But because the NDP had run a fellow by the name of Neil Davis, you could tell alphabetically that W. G. Davis was no longer going to be first on the ballot. How do you tell your supporters who they should vote for? It is easy to say, "Vote for the first person on the ballot." From that point on the former Premier, when he was running, ran under the title Bill Davis so that he could be first on the ballot.

As the members can see, there is importance to this and there are fun and games that can be played by other parties in terms of putting another name that is similar to the existing member on the ballot and confusing the daylight out of people. Particularly when you do not even have their profession on there, it makes it very difficult for the public to be aware of what or whom they are voting for.

I disagree in this respect with one of the items. I did not see it in the bill but the member says it is there. It was the requirement that the party leader sign the nomination papers of a candidate. I would totally disagree with that. For this reason I would disagree with it: We as members of the House belong to a political party, yes, but we also are elected to represent the people of our community and not to be in any way muffled, silenced or to run on the fear that if we say something that perhaps is in the interests of our constituents but does not quite sit with the party's philosophy, we could then be penalized in the next campaign by not having our papers signed.

We all saw an instance of this, I believe, in the federal election, where Mr Mulroney would not sign the papers of a particular candidate and I think the candidate had to run as an independent. I suggest to the members that that is one item that should be kept out of there in order to ensure the integrity and the freedom of members to say what they like as long as it is in the interests of their constituents.

The situation that we have had in terms of the party leadership now, I think that part and parcel of this, if the government looks at this and I think it should look at it—certainly was in favour of it when we were in government that party affiliation be put on the ballot, for the reason



tarted out with, that the public should have access to all of the information possible to elect the best possible person to represent their views in this Legislature.

But I think it goes deeper than that. I think the importance in this first step, you might say, is there should be a looking at the reform of Parliament. In fact, if the Premier wants to set up a committee that will be meaningful, I think that is one that could really be meaningful. It may very well be at the very root cause of some of the problems that are existing in this country that Parliament and the legislative process, where a government falls if everybody does not vote in accordance with the party that is in power, becomes a bit of a sham. It means that you are not representing your constituents to their best interests but you are just simply voting at the push of a button. I think that has to be reformed. Every vote should not be a confidence vote that a government will fall and require an election.

I think there are other issues that could be looked at in a reform of Parliament as well. The very fact that the Premier perhaps appoints the entire cabinet, I suggest, is not a good democratic way of doing it. I think 50% should be appointed by the Premier and the others should be elected from among the caucus. Otherwise what you get is the gift, the golden apple that can be held over your head to make certain that you play the party line. Who are the losers? The losers are in fact your constituents, because anything that makes you less free to advance their cause in this House is to their detriment. I would suggest that is an area.

The members might even look at the English system of the caucus determining who should be the leader of a party. We saw this used quite effectively in Great Britain with the ouster of Mrs Thatcher and the introduction of a new Prime Minister.

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Who knows better than the caucus who is the best person, who he or she may be, to lead the party? Do the people who go out into these conventions—and in most cases they are stacked delegates meetings—know really who the best person is, or is the person who wins the leadership the person who can sell the most memberships to stack the delegates meetings in order to wind up with the major votes at a convention?

I suggest that the member for Durham East has certainly taken that first step, and I hope his government looks at it because I think it is important. However, he may rue the day when he did it, because in the next election he does not know whether or not Mr Rae will be popular, and if he is not, then people will just go down the ballot, and when they see "NDP" they will bypass it and go on to the next one and perhaps vote Reform.

**Mr Carr:** PC.

**Mr Callahan:** No, no, not PC. They will skip that one, too. But they will go down the ballot. There is sort of a boomerang effect to this, that if you put it on the ballot, you may well have created for yourself a ticking time bomb that may result in your being blasted right out of this House. So think about that.

But I would urge the member for Durham East not to let this die. Do not let them just pass this in this House and have nothing happen, because that is what happens around this place. As I said when I started, too often good ideas in this House that are raised, many of them on Thursday morning, never get beyond the approval of the House, and the people of Ontario, I think, are less rich as a result of it. So pursue it, but also pursue it, as I said, with a further enlargement of a committee to look at the question of studying Parliament, the parliamentary system, and whether it works in Canada.

We are so Americanized. In England it works because the English have a great tradition of not being power grabbers. Unfortunately in the Parliaments in this country and in this province and other provinces, it is the old game of you are in power, we are out of power, we want to get you out of power so we can be in power. Who wins from that? Nobody, really. I think that is really where we should be looking, at the reform of Parliament.

We should also be looking at the question of a redistribution of powers; 1867 was a long time ago, and a lot of the powers that were allocated out of sections 91 and 92 of the Constitution, or the British North America Act, no longer apply. In fact, that is part of the root cause of the problems we are having in this country, too. Instead of going around and asking people to say why they feel Quebec should stay in Confederation, perhaps they should be going around and looking at these aspects and at a broader cure to the malaise that we have in this country. I think in the final analysis, as is represented by the fact that we are all here in this Legislature, we care with great passion about Ontario, and we care with equal passion about Canada. Let's hope that initiatives like this and further initiatives or reform of Parliament will result in Canada being the Canada we all love.

**Mr Carr:** I will be fairly brief, but I did want to make a couple of comments if I could. I want to compliment my friend for bringing this across. I got to know him during the justice committee, and I want to thank him for bringing this measure before us. I think this particular move would have helped me last time. I come from a riding with a great Tory tradition. Jim Snow was the former member, the Minister of Transportation, as well as Terry O'Connor after him, and in the last campaign everybody was running around saying, "Who is the Tory candidate?" I was not well known, a virtual newcomer, and it would have been very helpful to me.

**Mr McLean:** But they sure know now.

**Mr Carr:** They know now, as my colleague says. But I have a couple of concerns about the independence of the process. I think a lot of people want more independent members in this Legislature. When you put the party affiliation down, you really do not know why people voted. It may be because the member for Durham East, the member who introduced this, is a great member, and he can rightly say, "I am going to disagree with the NDP on this policy, and I am going to vote independently for my constituents because I believe in it and they voted for me."



But you will have other people who will say: "No, no, it was not the member for Durham East I voted for. It was the name, the NDP portion on the back that I voted for." Right now, a member like the member for Durham East can be relatively independent and stand up and say: "It was me elected. Sure, I was a part of the party, but it was really me the people elected, so I can be independent if I want and vote against the party on this issue."

It does not happen by all three sides when we are in power, but conceivably it could, and I think that is what the electorate really wants. I think that is why sometimes there is a little bit of bit of frustration, because we try to put everything into party lines, and the vast majority of people do not fall into parties. The vast majority of people are the swing voters that on some issues might be NDP, others Conservative, others Liberal.

This makes it very difficult, because it takes away, I think, in my example, the independence of the member. Because people will say: "No, Mr Mills, on this issue it wasn't you I voted for; it was the NDP and your Premier, Mr Rae. So you can't disagree with them on that, because I voted for the NDP policy." So I think there are a few concerns in that area, and I think, as we know, the public wants our members to be a little more independent, not to toe the line on issues. They want their members to be fairly aggressive and fairly independent. I must say, having new members on all sides, that that has certainly happened in this House to a great extent, and hopefully it will continue on a little bit more.

I am also a little concerned about what may happen as a result of the options, that it may get confusing, because I know there will be some members—for example, our colleague the member for Markham. People do not know or care what party the member is with. They vote for the man, and so somebody like that might not put his name on the ballot. People do not care. If he ran as an independent or for the Green Party or any party, he would probably be elected, because they like him. They trust him. He has done a good job for them. He might decide, for example, to leave it off.

You have a ballot where you have party affiliations, and then one member, because he wants to be a little more independent, is left off. My fear is that people will come in and say, "What the heck is happening here?" They will not know the reasons it is left off. They will think: "What's the matter? Aren't you proud of the party?" That is not the case, because an independent member like the member for Markham might want to leave it off because he wants to be independent in the way he votes on a lot of issues.

So there are some concerns there on a couple of these issues that I would raise. On the whole though—and I think that is what the member tried to do by giving the option, to say that there are some circumstances, and it makes it very difficult—I must say I am in favour of it, because I am proud to be a Progressive Conservative. I think certainly the last time, the vast majority of the people voted for me because of the fact I was with the Conservative Party and because of the fact that they liked our leader and what he stood for, so it certainly would have helped

me the last time around. While there are some problems with it, I certainly would be in favour of putting it on there.

I believe a couple of my colleagues have comments to make, so I will leave it at that.

**Mr Drainville:** It gives me great pleasure to rise in the House today to speak to this bill put forth by the honourable member for Durham East. I come at this from a particular perspective. I served as a returning officer for Broadview-Greenwood riding federally in the elections of 1979 and 1980. At that time, I had an opportunity to see the benefits of having the political affiliation on the ballot. I served in a riding that had a great number of people from different ethnic backgrounds, as well as people with a high rate of illiteracy. Having the political affiliation on the ballot under those circumstances actually helped in the process of ensuring that people were supporting the party that they wanted to support.

I have always seen this as a definite advantage. As has been mentioned by the honourable member for Durham East, Ontario and Newfoundland are the only two provinces lagging behind, and Newfoundland is on the way to introducing this into its system. So I would like to say to the House that this is something I think is very important.

I would also like to talk about a very important principle which needs always to be acknowledged here, and that is the egalitarian principle to which I think we, as members in this House, have to give our unqualified assent and support. The reality is that here we are, government members bringing forth a bill, albeit a private member's bill, that indicates our support for a principle that says it is important that all parties have the opportunity to be recognized. A government, generally speaking, or members of the government or even incumbents who are serving in this House, happen to be in a wonderful position when they go into an election of being known by the electorate, and their names are known. In some sense, there is not a great need to have political affiliation in that they have already built up a certain reputation before they come to the next election.

1030

What we are saying in this private member's bill is an important thing, and that is to put forward the egalitarian principle that says that people need as much information as possible to make their decision, to make the job easier so that their enfranchisement is something that can take effect as soon as it possibly can. When people go into the voting booth, it is clear to them the direction that they want to go and whom they want to support.

In terms of the party leaders signing the papers, I do not want to dwell too long on this point, but I really do think it is important that when one belongs to a party, that that is recognized by the party leadership. I realized, when the honourable member was speaking about this from across the floor, that he was saying there could be problems. Of course there are problems. If you are an independent-minded member of a particular party and you happen not to be getting along with the leader, indeed it can cause problems. But the reality is that the system we are part of is a system based upon a partisan party principle. If you



are on the outs with the leadership of that party, it seems to me, if you are so far on the outs that the leader is not even willing to sign your papers, there is a question as to your effectiveness to begin with in serving in that political party and trying to say in an election that you are going to continue to support the policies that are put forward by that particular party.

I do not see this as a great obstacle at all, but rather a very understandable statement that each and every candidate who is running, if he or she is running under a party banner, needs to be acknowledged to be a representative of that party.

I think that touches on all the points that I want to make today.

**Mr Sola:** Quite a few of the points that I was going to touch on have already been mentioned, but there are still a couple left over for me to touch upon initially.

First of all, I would like to say that in today's society, we are much more mobile. Having run in the 1987 and 1990 elections, I have noticed the great turnover in the electorate. Perhaps up to 25%, maybe 30%, of the electorate in Mississauga East in 1987 were no longer at the same addresses or perhaps even in the same riding in 1990. The old argument that the candidate is well known in his or her riding and can run on the basis of his or her reputation, I think, is no longer valid because of the mobility of our society. We have people who were living in Mississauga in the 1990 election who may be in Manitoba for the next provincial election over there, or people from Newfoundland who will be in Mississauga in the next election. That is one reason it is necessary to have party affiliation associated with the name.

Speaking personally, in 1987 the name John Sola was certainly not a household name in Mississauga East. It was closer to being John Who? when I was knocking on doors. But the name David Peterson certainly was a household name, the name Liberal certainly was a household name, and I came in on a Liberal tide. Having survived an NDP tide, I can also say that it may have been fortunate for me that party affiliation was not on the ballot in 1990. The member who proposed this legislation may live to regret it, because the electorate is very volatile and the name Bob Rae may not have the same appeal in the next election as it had in the past.

Furthermore, in very many municipalities we already have signs in different languages, in different scripts—say, Greek or Chinese—sometimes for local colour, sometimes to help the people who live in those areas feel more comfortable because they are more adept in the script that is added to the English script.

If we are making it easier for people to associate with a certain area in a city, we should certainly be making it easy for people to associate the candidates on a ballot with the parties they represent. Especially in the greater Metro area, even incumbents have a difficult time getting access to the media. Some of the more high-profile critics do get access to the media, but the backbenchers, the critics of less high-profile areas, have a very difficult time getting access to the major media. Therefore, their own electorate gets less of a chance to hear directly what the candidate stands for,

unless they go to all-candidates meetings and unless they attend some of the functions that we attend. So it is much more difficult for a candidate to show individually what he stands for. But when he is affiliated with a party, when the party name is associated with his name, then every voter gets some idea of what that candidate will represent if elected.

I support this legislation. I think it is an idea whose time has come, and moreover whose time is more than overdue. In closing, I would just like to say, having mentioned the Greek and Chinese scripts, that members of the governing party may hope that in the coming election the party affiliation is put in those scripts, if things turn out the way they did in 1990 for the governing party.

**Mr McLean:** I want to speak briefly on this Bill 65, presented to the House today by my colleague the member for Durham East. Yes, there has been a lot of concern raised and, very well, in the last election when there were two McLeans on the ballot it certainly did confuse a lot of people. However, the real one did come through and win and the other guy got twice as many, three times as many, votes as he should have and he made the statement that he did not realize that he would do so well, being a member of the other political affiliation party which is not represented in this House.

With regard to the problem I had when this came to light during the campaign, that there was going to be another McLean on the ballot, we had requested party affiliation to be added to it through the elections commissioner. However, my Liberal opponent appeared to disagree with that idea. I do not know why, but it did happen. With regard to Bill 65, that would certainly do away with any problem. However, we did request that our addresses be put on because the other McLean happened to be from Penetanguishene and not from Orillia, so that did make a difference.

The problem I had with the procedure was the fact that somebody could object to that being put on when there was rightfully a discrepancy or a problem that they could identify, that some people would not really know which McLean they were voting for.

So Bill 65 has a lot of merit in that it would solve that problem. The problem that I have, really, is the fact that a lot of the members probably would not be over there today if people had known which party they were representing. That has really created a problem for us. However, maybe the public across the province will realize in two or three years what they have done.

That would have maybe helped in that case. I believe it should be clear and precise which party a candidate is representing. Then there would be no doubt in anybody's mind whom they are voting for.

But that does still create a problem, as my colleague has said. There are many people who would sooner vote for somebody who does not belong to a political party, somebody with an open mind who wants to come to Queen's Park and represent his constituents without voting the party line. That has been my theory all my 15 years in municipal politics and that is the way we operated, and the way I believe we should be operating at Queen's Park. It



concerns me, always has concerned me and I have not always voted the party line, because I vote with my constituents, what they are indicating to me, and I think that is the way it should be. There should be some legislation that would allow an individual to do that. I think it would be more important than the legislation that we are dealing with here today. However, that is not the case.

1040

When we are talking about identifying people, the other interesting aspect of the campaign is that when the campaign was called, I had a news conference indicating that people in the province have a great concern for the environment and I said: "Why don't we all do away with lawn signs? That's going to be my policy. I'm not going to put up lawn signs in this election." Well, my opposition did not think that was just the right thing to do. They would have their signs recycled, they would be put out of use, they would not go into the garbage dumps. I continued with my promise not to have lawn signs and stuck with that. My two colleagues had thousands and thousands of lawn signs littering the countryside and they were still there months after.

So when we are talking about identification, is it lawn signs identifying people any more than putting one's party affiliation on the ballot? In a tough election I believe the electorate is not all that dumb. I believe the electorate is very smart. I remember the time there were two Trudeaus on the ballot the same as there were two Davises at one time, and obviously the real ones got elected.

I really have no objections to the member's bill as far as putting on the party affiliation is concerned, but I would love to have seen in some way having the opportunity, the right to decide whether one wanted it on. We are really taking that right away. Some people or some parties are not very popular, and yet if the candidate has done an excellent job in his riding and is a popular candidate and if he affiliates with that party he is a member of on the front, some people will say, "Well, if he is a certain member of that party, I won't vote for him because of the party," forgetting the member really.

I will leave a bit of time for my colleague the member for Simcoe West. I know he has a few remarks he would like to make. I would just like to close by saying I will support the bill. I believe it is a step in the right direction. However, I have some concerns and reservations about it. I do think of a bill that would give members of this Legislature the freedom and the right to vote as they see fit, regardless of what party or affiliation they have.

**Mr Hope:** Dealing with Bill 65, I must emphasize I will support my colleague on this bill, but as we all know, most of the bills go to committee. With this bill going to committee, there are a couple of questions that must be asked. The member for Brampton South talks about accessibility, providing all the information possible about a candidate. One of the questions that has to be asked is, for those who are unable to read maybe a picture could be provided to make sure they know what the candidate looks like. Some members may be opposed to that; they may not want their picture taken to be shown on the ballot.

The other question that must be put forward is about those who are unable to see, accessibility, making sure Braille is there on the ballot. I want to emphasize a couple of these points because, if we are to talk about making sure the electorate is actively involved in the election process, we must make sure we provide the ability to participate. I am sure a number of members have had this question raised in their constituencies about the accessibility. I know I have. A person who may not have the ability to read somebody's name wants to know, has seen the person's picture in leaflets around the constituency and knows what the person's face looks like but cannot identify the name, and those who either cannot see the picture or read the name will have accessibility through Braille, which is very important.

I really want to emphasize these two issues, as we are talking about amending the Election Act. I think, as it is referred to committee, friendly amendments may be proposed that will address the issue of making sure most of the people in our constituency, if not all, can actively participate in the election process.

As the member has indicated, some people may be opposed to standing behind an election party for the simple fact that they should be elected as the member, but it is the policies of our party that govern a lot of our direction. Yes, as members we have the freedom of voice to emphasize it in our caucuses. But if we are to talk about the logo of the party, it is important that we make sure the logo of the party is accessible to all people. How we will make it accessible to those who are blind is another question we must deal with. Braille will make that available.

But there are two questions: one, for those who are unable to read, making sure that possibly a picture is available; two, for those who are unable to see, providing Braille or some form of identification so that a person can play an active part.

I do support my colleague, as I think he has made a remarkable step on behalf of the government. Hopefully it will be passed and in place for the next election, but I also wanted to make sure those issues I have raised are taken under consideration by the committee.

**Mr J. Wilson:** It is a pleasure to rise today and speak to Bill 65, the private member's bill introduced by the member for Durham East. I just want to follow up on the remarks made by our colleague the member for Simcoe East. I am proud to announce today that when we are talking about the real McLean, McDonald's has now introduced a McLean deluxe burger. My colleague is extremely proud of that and I just want the House to be aware that the real McLean is alive and well. It is true; there is a bulletin right here before me. I am sure the member for Simcoe East will be sure to tell his constituents this afternoon.

I do have a worry, though, about the proposed bill where it says, "A candidate of a registered party who wishes the party's name to appear on the ballot may file with the nomination paper a written statement signed by the party's leader confirming that he or she is the party's candidate."

My worry there is that some candidates, when filing their papers, may tick off the little box that I guess will be



n the form to have their party affiliation, while others may not. Unless there is some sort of collusion ahead of time, we may end up with ballots where we have Liberals, NDPs, Conservatives and names without party affiliation. We may have some of the main political parties, some of those candidates who choose not to put their party affiliation. I think it adds confusion to the voter who may go into the voter box and say: "Well, there is Jim Wilson in Simcoe West. He does not have his party affiliation. Is this the Jim Wilson that has been the Conservative candidate?" There could very well be confusion, so I think the bill could be made better if it was all or nothing, if it was required by all candidates or not required at all.

My preference is that it not be required. In rural Ontario in Simcoe West we had the honourable member George McCague serve for some 15 years prior to myself and George got elected each time, five times, because he did a good job for his riding, not because of his party affiliation. It is extremely important in rural Ontario, as it is in all ridings, that members have served on municipal council or have been involved in the community. I think particularly our constituents notice more, perhaps because we have a number of local newspapers and local radio stations and we are in those papers every week reporting on what we are doing on their behalf at Queen's Park. They are very much aware of what we do as members of provincial Parliament, they are very much aware of what their candidates' records have been and they like to vote for the local man or woman regardless of party affiliation. I think it is important that we continue that proud tradition in rural Ontario, where we vote for good people to represent our constituents.

The number one issue in this past election was that people were tired either of Ottawa or Queen's Park representing themselves to our constituents or to the voters, rather than the way the darned system was designed in the first place, that our constituents and the voters of this province are represented here by us, their elected representatives. We should not and never forget that is our job, to represent their views and not our views to them.

1050

**Mr White:** It is a pleasure to speak on my friend's private member's bill. The member for Durham East is already an established member of his community. He has a regular contribution to the local papers, his regular column, and even so, despite the fine member he has proven to be and the popular member of his community he is, I doubt he would have been elected had people not known what party he was running for. I think this bill only makes a great deal of sense as an updating, as an informational bill. It says, "Let's get into the 20th century before we leave it."

Obviously people are denied their basic democratic values, a basic right if, when they walk into the polling station, they do not know who is representing the party they wish to vote for. Very frequently there are names, as my friend the member for Simcoe East alleges, which are very similar. Some of the members here and I myself have very common names: White, Brown, Smith. It is not uncommon

not only to have names that are similar, but even to have the same name on the ballot. In my particular area we had a White and a Wyatt, which I am sure many voters might have had some difficulty distinguishing.

The reason behind not having the party name on the ballot I think goes back to what the member for Brampton South was referring to, that for 42 years we had a dynasty and the member was the member indefinitely. This is no longer the case, and I think it behooves us, as we are reforming the way this province is governed, to also reform the way people can have a real choice come election day.

It is also a matter of finances. I know certainly the more one's name is associated with a party—it is, after all, the party and the local riding association that are financing your campaign, but it should not be a situation in this province where those who have the most money, those who can put the mail out the farthest, the most frequently and the most blatantly should be the ones who pick up the votes. There should be an association that is related not simply to finances, but also to what that person is standing for. It is fine as we stand here, but I think the time has come for this kind of a resolution to be put forward and the member for Durham East's private member's bill to be passed.

**Mr Winner:** It gives me pleasure to rise in support of Bill 65. The comments by the member for Durham East I think were lucid, well informed, convincing and eminently sensible. Some members from the Conservative caucus have suggested that political affiliation might be better left off the ballot. I can understand why they might not want to be associated with their party at the present time. They may feel their own personal popularity overrides the popularity of the party in their riding and that may in fact be why they are here in the House today.

However, I think we have to remember that when candidates register to run in an election they register as members of a political party. To my memory, when the voters go to cast their ballots, there is a list of candidates with political affiliation attached to the voting booth. The only place the political affiliation does not appear is on the ballot. On that count, we are far behind the majority of other provinces across the country that allow for political affiliation. In my riding of London South, approximately 10 or 11 years ago, there were two candidates running at the same time, neither of whom was an incumbent. Both had the surname Green, both ran a green campaign long before the colour green became fashionable and both lost. The fact that both lost may have had something to do with the fact that there was no way for the voter to differentiate between each of the candidates.

When the members are elected and take their places in this House, and if they have the same surname, they are differentiated through reference to their ridings, which makes sense. So if you are going to differentiate the candidates in an election, why not do it before the votes are cast when it will be most important that the voters make an educated decision as to whom they are voting for and not just the name that may have more recognition in the riding.



I think it is incumbent upon this Legislature to ensure that full disclosure is made, when the candidates go to the voters during an election, that the voters know which party a particular candidate aligns himself or herself with and, if another candidate is running as an independent, that the public also know he or she is running as an independent and not affiliated with another party. This will certainly reduce the degree of confusion in the mind of the voter. It is a reform that has been a long time coming, but the time is at hand for the reform to be passed in the form of legislation. I would certainly concur with the member for Durham East that this is an eminently sensible move that this Legislature should be prepared to take at this time. Therefore, I would endorse the bill put forward by the member for Durham East.

**Mr Perruzza:** It gives me great pleasure to be able to speak to this bill which I feel is rather timely. Some time ago I think the winds of change began to blow, not only in this province or in this country but all over the world, and I think it is catch-up time for Ontario. This deals with certain democratic principles I think we should not simply neglect. I think 42 years of Tory dynasty in this province are over and I think people should know what they are getting when they are getting it at election time. I think this stifles the expression of certain democratic rights. I know there are a number of other parties which would like to be recognized at election time. Regrettably, they do not have the funds or the ability.

**Mr Mills:** It has really been a delightful experience for me so early in my political career in this House to present a private member's bill, and I thank all the members for their participation and some of the encouraging things they have said.

Mention was made by the honourable member for Brampton South about not mentioning the fact that the Conservatives had stifled some sort of recognition due to their 42 years, but being a kinder, gentler type of person, I deliberately refrained from bringing that to the attention of the members here this morning. I can understand the concern of the member for Brampton South, that he is glad this bill was not in order in the last election. If it had been, there might so few of those chairs now that we would have him shuffled up to one end and I know—

**Mr Carr:** Having it on is going to cost you next time. What goes around, comes around.

**Mr Mills:** No, as far as the next election is concerned, I have absolutely no worries about the initials NDP being behind my name. I remain confident that our party is doing a great job. As the polls have indicated, 62% of the people support us at this time. I am confident that at the end of this time, it will be even greater. With all due respect to my honourable friends opposite, maybe those seats will diminish even less.

But I stand by my principles in life and I am confident that any party affiliation whatever makes really no difference. I have some sympathy with the honourable member for Simcoe East that we are here to serve the people. I think we are all here to serve the people but, nevertheless, we have a duty to the electorate to let them know what

party we stand for so that they can make their decision on the ballot.

1100

#### NORTHERN HEALTH TRAVEL GRANTS

Mr Miclash moved resolution 9:

That, in the opinion of this House, recognizing that fully accessible health care for every Ontarian should be a priority of this government, that northern Ontario residents often have to travel outside their communities to receive specialized health care services, that travel costs in northern Ontario are higher on average than in other areas of the province and that some situations, regardless of age, require the assistance of a travel companion, the government of Ontario should: reduce the distance criteria under the northern health travel grant program from 250 kilometres to 200 kilometres; remove the age requirement for companion travel assistance; change the formula used to calculate the grants to more accurately reflect the actual travel costs incurred; expand the program's geographic boundaries to include Parry Sound and all of the Nipissing district; and make these changes retroactive to 14 August 1990.

**Mr Miclash:** As members of the House will know, the people of northern Ontario are spread across a vast area. I know that some of the members from the opposite side of the House have already had an opportunity to come up and travel those portions of Ontario where we have a very thin, uneven population.

What I would like to say at this point is that we do have a strong sense of our contribution to Ontario. Across the north, we have a great many examples of this and I would just like to speak a little bit about my own riding.

We know that gold mining, for example, is very important to the riding of Kenora. We have gold mining throughout the riding in Red Lake and Golden, and we have the possibility of more coming in at Shoal Lake. As well, we have a very important forestry industry, one that contributes a lot to the economy of this province. Our natural resources are very important to the province and we actually contribute a tremendous amount of wealth to the province of Ontario.

Of course, we are looking at services, services that are provided for people across the province. Many of these services are taken for granted by people in southern Ontario. However, when it comes to northern Ontario we have some particular problems and I would like to point out the problem of health care. Again, I talk about the population being spread out in a vast area and the provision of that health care.

I have been a northerner for 37 years, actually born, raised and have lived in the same town, Kenora, and have represented the riding of Kenora over the past three and a half years. I must say that I am proud to rise in this House and present a resolution today that will address some of the concerns about this major concern of health care.

Mr Speaker, you may remember, and people in the House who were here in the past session will remember, that I introduced the same resolution back in May. I was encouraging that government to expand the northern health



travel grant. I must say that resolution was supported at that time by both the Tories and the NDP. What I am doing today is introducing the resolution again, a very important resolution that I can see to be very helpful to the people throughout the entire north. What I am asking today is for the members, as they did last May, to support this resolution.

A lot of people might say, "Why did the Liberals not implement these changes?" In fact, the government brought in several programs to improve northern health care services. My resolution was introduced actually to build on these successes. We developed a strong sense of momentum on northern health care issues and I feel it is up to the present government to follow through on this momentum.

I must indicate that shortly after the Liberals took office in 1985, the northern health travel grant program was introduced, and at that time it provided financial assistance to northerners who have to travel long distances to receive specialized medical health care which is not available in their home communities. The program, as I indicated earlier, provided a much-needed service and was very popular.

If I might just read from an article, this is from the Dryden Observer of 20 March of this present year and it indicates: "Most northerners agree that the province of Ontario's northern health travel grant is a popular and worthwhile program. After all, it eases the financial burden placed on northern residents who have to travel long distances to receive medical services not available in their own community." Again, that is from an editorial in the Dryden Observer of 20 March.

This program was brought in by the Liberal government in 1985 and it has assisted more than 80,000 patients. I must repeat, 80,000 people in northern Ontario have actually taken advantage of this program. In 1988, the program was reviewed and we met with both health care givers and users for their input. We found that it was a very important program, a program important to both. In 1990, again we reviewed the program and further developed a more comprehensive set of improvements, once again with the input of both the health care givers and those groups and users of the program.

The improvements that we found would be necessary were introduced on 14 August 1990. At that time, we proposed a \$2.5-million expansion of the program, which included the following very important commitments:

We said that we would remove the age restriction for having a travel companion. Currently, the travel costs of companions travelling with patients are only covered if that patient is under the age of 18 years. This age restriction should be removed for a number of reasons, reasons that would allow older people, people with certain disabilities, to have a companion with them. As I said, age is not the only barrier. We have a good number of other things that would contribute to the need of a person needing a companion to go along with him.

We also reduced the minimum travel distance requirement for accessing this program from 250 kilometres to 200 kilometres. A good number of large-sized population centres are slightly less than the 250-kilometre requirement rate now. When I think of places like Kenora, Jaffray and Melick, and Keewatin in my riding, which are actually

220 kilometres away from our major medical centre, that being Winnipeg, I think of how this program could be expanded to help the people in need of that care in our area.

Finally, our proposal would have expanded the program to cover both Parry Sound and the entire district of Nipissing, again a very important aspect to improving the program.

The improvements that I talked about that we introduced would allow an additional 3,420 northerners to benefit from the program, again a very significant number and a very significant program, to allow them to get needed medical attention that they cannot receive in their smaller communities.

When it all adds up, we have made tremendous progress over the past five years in the delivery of health care services in the northern areas. But I must say that we cannot stop there. We must build on the momentum that was established by the previous government. It is now up to the present government, the NDP, to carry on that momentum. So far, as with many other things we have seen, that has not happened in this first six months of the new government.

#### 1110

We feel that the government may be lack attention on our northern issues and, as I say, this attention on this very particular issue is of great importance to me. We know that the NDP has a large northern caucus but, more importantly, a large number of cabinet ministers, six cabinet ministers are from the north, and I feel that there should be enough voice in the NDP government to address our concerns.

I adjourned the debate last May, and this was the debate in which I introduced my resolution to improve the grant program. The member for Sudbury East, who is now the House leader and Minister of Northern Development, made a very important statement, and I just might quote her with pride: "It is your Liberal minister who is in power, your government that is in power. If you were serious, you would have made some changes." I must say that we moved ahead to make those changes and now we are looking upon her government and herself to implement these changes. I must remind her that she is now an NDP minister who is in government, and if they were serious at all they would take a very good look at carrying on with these changes.

As I said, over those five years, the previous government did build a good amount of momentum on this issue, and what I am asking today is for this present government to follow through on that momentum. At this time I would urge all the members to support my resolution. I would particularly challenge the northern members and, more importantly, the northern cabinet members, to demonstrate their effectiveness in their caucus and in their cabinet to ensure that these most important measures are implemented as soon as possible.

**Mr Martin:** I stand this morning, a very willing participant in this debate and certainly in accord with the member for Kenora and commend him for bringing this forward. If, as he says, it is the second time he has brought



it forward, that is terrific, and I join with him in fighting on behalf of the people who we represent in northern Ontario so that we might get a share of the resources necessary to maintain a quality of life in that part of this province that speaks more adequately to the contribution that we make to the province economically.

Certainly, the issue of health services and the northern health grant has been a fundamental plank in the NDP northern initiatives program over the past number of years. If the members will remember, the New Democratic Party travelled across northern Ontario to gather information around the provision of health services to folks who live up there and in actual fact produced a document called Operation Critical that was presented to this House not so long ago and was received, I believe, favourably by many and will probably be referred to later by my friend across the floor. Certainly, Operation Critical came as a result of a lot of the work that was done by my New Democratic Party colleagues in the north and built on a foundation in accord with what the Liberals put in place in 1985.

My predecessor from Sault Ste Marie, Karl Morin-Strom, played a very critical and important role in the development of the initial package of legislation that came down with regard to this particular issue and I must this morning certainly give him some credit as well, because not only is the member for Kenora bringing this forward for the second time, but I think it is important that we recognize that many of the members from this side of the House, when they were on that side of the House, raised this issue and played an important role.

We certainly supported the present legislation that was there back in 1985; 1985 was part of the accord period and I have to say that some of the most progressive legislation that this province has seen in its history came at that time. I suggest to members that a lot of the reason for that was because of the participation of our members in the preparation and presentation of that legislation. We supported it then and we support any improvements to it that might be forthcoming. Certainly this morning I stand in support of the resolution that is in front of us and believe that it is not only necessary but an issue of justice.

I share with the House and the member who brought this piece of legislation forward that our government does in fact have some plans in the works. The cabinet and the Ministry of Health are working on some material that will be forthcoming in the very near future which will enhance the northern travel program that is now in place. I suggest to the members that it may even be more exciting and positive to us who live in the north than the piece of legislation that we are looking at this morning. However, that does not get in the way of my supporting it.

The issue of health services in the north is a very fundamental issue for those of us who live there. It is an issue of justice because, as the member for Kenora has stated so ably, we have a great sense of our contribution to Ontario. Every job that is created in northern Ontario in the resource extraction sector produces, in fact, 8 to 11 jobs in southern Ontario. We feel that it is only right that it should provide to us in turn those services that we need to maintain a quality of life up there in order to keep our people

healthy, so that we can continue to contribute in this significant and important way to the whole of the province.

**Mr Phillips:** I wish to speak in support of the member's motion as well. I compliment him for, I think the best term is perhaps, relentlessly pursuing this. I guess it was about eight or nine months ago that he thought he had the battle won and of course there were some events that changed that in September, and now it is back here. I think the merits of the case obviously have not changed and I look forward to all members of the House supporting it as they did, I think, when he brought it forward initially.

It is important for the House to continue to be reminded of the challenges in this vast province, and that this Legislature reflect the needs of all of the people of this province. Certainly when we look at something like the northern health travel grants, that is an indication of the need for us to be thinking constantly, as I say, about the diversity, particularly geographic diversity. Frankly, I hope that the House would support this and that the minister would move on it quickly.

The member for Sault Ste Marie has reminded us of the study that was done, I think a little more than a year ago, when several members—actually, probably six now cabinet ministers, then members of the official opposition—completed a study called Operation Critical. One of the key recommendations in that was to change the travel grant program. I will just quote a couple of paragraphs from it. It said, "New Democrats will fight for needed improvements specific to the northern problem of a small population spread out over large distances." One of the recommendations is to "make the medically necessary travel grant work." Then right under it is a paragraph that says, "The members must appreciate the fact that what is needed is action, not further review and study." That, of course, was a year ago and I think just underlines the need to move quickly with the recommendations that the member for Kenora has brought forward.

It is a good idea. It does closely parallel an announcement that the previous government had made and did not have the opportunity to implement because of the change of government. It closely parallels an announcement that was made in August 1990 as, I think it is fair to say, a direct result of the initiatives of the member for Kenora who brought it to the House about 10 months ago, who got the support of the House about 10 months ago. As I say, it was supported then by all parties and all members of the House.

I am here today to urge all of us to support the recommendation, to say that it is one that makes sense, that will be of significant benefit to people in the north. It is one that I think parallels some of the recommendations that were in Operation Critical from a year ago. I hope, as we vote later this morning on this motion by the member for Kenora, that we have full and enthusiastic support for it.

1120

**Mr Wood:** On the issue of northern Ontario travel grants, there are a lot of aspects of the resolution that was brought forward by the member for Kenora that I fully support, for the simple reason that I have lived in the north



for 31 years. I am also from the second-largest riding in Ontario and the population is very thinly spread out throughout my riding, where people have to travel large distances. I think the matter that we should be putting emphasis on is health care prevention. We should be talking about community delivery, we should be talking about having people looked after locally in their communities as much as possible, because of the loneliness when they are away from home for treatment. A lot of these areas also have to be addressed, and I understand that in the next number of weeks or months the Ministry of Health will be looking at some of these areas to address them.

One aspect of the resolution that the member for Kenora has brought forward which is very difficult for me to support is the nightmare that would be created by the retroactivity back to 14 April, which was a Liberal promise, I believe, that was made during the campaign. It did not get them elected at that particular time.

As far as the northern health travel grant program is concerned, we need it. The number of kilometres has to be reduced in order to help the people of the north, because of the fact that everybody in Ontario should have the same resources as far as health care is concerned. It is very critical that more emphasis is put on people in the north, so on that basis I congratulate the member for Kenora for bringing this resolution forward the second time that he has brought it forward. As I said, I support it in principle, with the exception of the retroactivity of it.

**Mr Ramsay:** It is a pleasure to be standing in my place as the member for Timiskaming to be supporting my colleague from Kenora on this very important private member's motion that we have before us here today. I not only want to speak to it; I certainly wholeheartedly endorse this motion and I would like to applaud the member for Kenora for again bringing back this motion to the House.

As the members all know, this was a Liberal government initiative that was supported by the New Democratic Party. We are looking forward today to some further support from the NDP government to make sure that we can improve this program. This program has worked very well, but as we all know, why we are all here is so that we can continue to improve government programs that we develop here in this House. I guess what the member for Kenora is really asking for today is unanimous support to improve this program, because northerners need it.

Now as we all know, in opposition the New Democrats, of course, had all the answers for all the problems and challenges that are out there. We look at the task force report that the NDP had completed around the north last year—it was called Operation Critical—and in that report the now governing party had suggested that this program be radically improved. I wholeheartedly support that. In fact, in August my Premier had announced that we would do that, he would bolster this program by \$2.5 million additional. It is unfortunate that we are not in our place to fulfil that commitment—we wish we could—but we are certainly asking the government of the day to do that.

Back to the Operation Critical support of the government party: They had said that they felt that if it was

necessary to travel over 80 kilometres in northern Ontario, that travel distance should be supported. As all members know, right now the government supports travel of over 250 kilometres. I must point out that that does not capture a lot of the northerners who live over that distance, as the member for Cochrane North has pointed out. As a northerner, I think it is always good to point out that there are vast distances in northern Ontario. I must say, as a person who originally grew up in southern Ontario, most southern Ontario people are not aware of those vast distances that we northerners have to travel.

In the north we do not expect to have in every centre all the facilities that the people of southern Ontario do in their big centres. We are very aware of budgets and how the health care system has to be fiscally responsible, but what we have set up are regional centres, such as Sudbury, that would serve northeastern Ontario. Sudbury is the oncology centre for northeastern Ontario; Sudbury is basically the heart and stroke centre of northeastern Ontario. In fact, the quality of care in Sudbury is second to none.

But in our ridings we sometimes live more than 250 kilometres from Sudbury. In some cases, and I had a case of a constituent calling me last week, people have to make not one or two trips a year; some people, for different medical reasons, have to make two or three trips a week. So we find constituents in Timiskaming having to go to Sudbury a couple of times a week, maybe just a shade under 250 kilometres, who do not qualify for this program.

I would like to point out that until about six months ago the program kind of relaxed its administration on that. It had great sympathy for people, and I was finding that most of the grants in my area were going through. For some reason, in the last six months there has been much stricter adherence to those administrative regulatory rules, and now I am finding the people in my area are not being allowed to apply for that grant. In fact, the confusion was compounded because the doctors were not told, and of course it is the doctors who hand the grant application form to the patient. So it has caused a lot of disruption in my area.

I certainly would plead for this government to bring in the changes that are badly overdue, changes that not only do we in the Liberal Party believe in, but obviously, from the task force of the governing party, we know the governing party believes in. I must ask, when we all know what to do and what is wrong with it, why has the government not acted? It is not going to take that much to make this program become very effective for the people of northern Ontario. We know the answers and all parties in this House agree. I guess what we are calling upon today is the governing party to get off its duff, to act so that northerners have decent access to health care in this province.

**Mr Eves:** It is a pleasure to rise and speak, not only on behalf of our caucus but also as a northern member, with respect to this program. I want to thank the member for bringing in this resolution, which I wholeheartedly endorse and support. I think it is an idea whose time is long overdue. It has been debated many times in this Legislature on different occasions.



With respect to my own riding, being the fifth-largest geographical riding in the province of Ontario, and we like to think of it as part of northern Ontario, this has been a long fight, not only by municipal representatives who have fought for this in the Parry Sound Municipal Association, which is an association of all organized municipalities within the district of Parry Sound, which number 28, and some seven organized municipalities in East Nipissing which are also in the riding of Parry Sound. They all wholeheartedly endorse this concept that has been introduced today by the member.

As a matter of fact, with respect to Parry Sound riding, this issue goes back several years. It was on 25 June 1987 that this House unanimously endorsed a private member's resolution that I introduced. Members of all three political parties in attendance voted in favour—not one single dissenting vote—to include the riding of Parry Sound, meaning the geographical district of Parry Sound, and all of the geographical district of Nipissing in northern Ontario for the purposes of all government ministries, agencies, boards and commissions. Seeing as how it did not produce any action and there was a subsequent intervening provincial election in 1987, I reintroduced exactly the same resolution, which was again passed unanimously by Parliament on 28 April 1988, with exactly the same language. Again, every single member of the Legislature from all three political parties endorsed the private member's resolution which I introduced.

1130

We did subsequently receive an announcement from the then Minister of Northern Development, Mr Fontaine, which he delivered in this House on 9 June 1988, among other things including the district of Parry Sound and all of the geographical district of Nipissing in northern Ontario for the purposes of all ministries. However, we have a few ministries that have steadfastly refused to recognize not only those two unanimous resolutions, but even the statement by the minister and the statement by the Premier of the day, Mr Peterson.

Unfortunately, one of those ministries holding out is the Ministry of Health. I had written many letters to the previous Minister of Health, the member for Oriole, and I have written two similar letters to the current Minister of Health, the member for Ottawa Centre. It is amazing, the replies are almost identical. It is like I am in a time warp here and nothing seems to have changed. "It's a very interesting idea. The ministry is looking into it. We have an ongoing review of the northern health travel grant program and when that review is complete, we'll let you know."

I think it is time the Legislature acted and the minister acted on this important program. Everybody recognizes the difficulty that northerners have with respect to all kinds of services that the provincial government provides, but we are talking about health care in particular here this morning. I have no doubt that members from all three parties support this because I can of course point to the many statements. I have pointed to a few commitments that were made by the previous government, I have alluded to statements that have been made by myself and other members of our caucus, and there are many state-

ments on record by members of the current government: "23 August 1988: 'Health travel grants inadequate, Wildman says'; "'Health care in north shocking,' Mr Rae said."

I do not think there is much doubt that the members of this Legislature all endorse what is being proposed today—at least, I hope they do—by the honourable member. As a matter of fact, members of the governing party may wish to go a little further than the honourable member is suggesting today, by having due respect for the conclusions that were reached in Operation Critical, The Report of the New Democratic Task Force on Northern Health Care Issues in February 1990. Some of those conclusions are indeed very interesting.

"First, the issue of distance." We are talking about the northern health travel grant program. "Any travelling of more than 80 kilometres (one hour by car) because a service is not available should be reimbursed. To the argument that the costs will be prohibitive, we prefer to regard the added cost as an incentive to provide the service locally." I could not agree more.

What is the point—and it has already been alluded to by a couple of other speakers—of trying to develop, for example, a cancer research facility in Sudbury if we are not going to encourage northerners to use that facility? If we are in a way going to discourage them by not making the distance requirement sufficient enough to encourage travel within northern Ontario, then the incentive is going to be there for them to travel to southern Ontario. That is exactly, I would think, what we are trying to get away from by providing those much-needed services. We are doing some of that, not as quickly as we would all like to see it of course, but we are trying to do some of that in northern Ontario. It would be nice to see those people able to partake of that program and use the services the government is trying to provide in northern Ontario.

On the conclusion page, page 35 of Operation Critical, the report comes to the conclusion that because of "a small population spread out over large distances" in northern Ontario, they should "increase travelling clinics, improve the transportation system, and make the medically necessary travel grants work." That is again exactly what we are talking about in the honourable member's resolution before us today, to try and make the northern health travel grant program more workable.

In the riding of Parry Sound, people have perhaps been even more disadvantaged by a double standard than any other riding in the province of Ontario, because of the fact that about 25% of the population currently lies above the geographical or arbitrary boundary that is set by regulation by the Ministry of Health for qualification for the northern health travel grant program and the other 75% of the people, in the very same constituency, do not qualify.

What is even more shocking is the fact that the people who most need this service, who really cannot afford to travel for necessary medical care, are the ones who end up not getting necessary medical care because they cannot afford some things that other members and I might take for granted as individuals. Travelling to Toronto, for example,



for cancer treatment is the one that comes most commonly to mind.

We have many constituents in the riding of Parry Sound who have to travel to Toronto for various medical reasons. I am just picking treatment for cancer at the Princess Margaret Hospital as one example. In a lot of these cases these constituents literally cannot come to Toronto and receive treatment because they cannot afford it, and I think that is a very sorry state indeed in the health care system in the province of Ontario. I think if it is true in my riding, it is certainly true in a lot of other ridings farther north.

I would like to address that inequity, both within the riding of Parry Sound and within all northern constituencies in the province of Ontario. It is a very, very unfortunate set of circumstances indeed. Some service clubs in my constituency, and I am sure in others, have tried to fill that void and provide transportation for some of these patients who need it, but I really think that we as a society and we as a government should be making a very, very concerted effort to address these inequities as much as is possible.

It is interesting, somewhat political at times, that the former Premier issued a press release on 14 August 1990—I think there was an election campaign going on then—with almost the exact wording of the honourable member's resolution here today, as to how the northern health travel grant program could be improved upon and we could reduce the distance requirement from 300 kilometres and 250 kilometres.

There are two requirements, for those members that perhaps are unfamiliar with the program. One is for travel within northern Ontario to receive health care; the other is for travel from northern Ontario to southern Ontario to receive health care. There are two different distance criteria in the regulations right now—one is 300 kilometres one way, the other one is 250 one way—and the suggestion is being made, if I read the honourable member's resolution correctly, that we reduce both of those distances to 200 kilometres one way, which I fully and wholeheartedly endorse.

His resolution also goes on to include, and I thank him for that, the geographical district of Parry Sound and the entire geographical district of Nipissing. I mention "entire" because a good portion of Nipissing is already included by the definition under the regulation but the other part of Nipissing, the eastern part of Nipissing, is not. I think that is an inequity that has to be dealt with obviously as well.

When the then Premier, Mr Peterson, was questioned by the local media after his press release of 14 August 1990, he had failed to address both aspects of the distance requirement in his announcement and somewhat hurriedly instructed his staff, I presume, within about the next 48 hours, if memory serves me correctly, to make sure that indeed all parts of the riding of Parry Sound were included in the northern health travel grant program.

We have had all this commitment and all these statements by various members of all three parties, but to date we have not had any delivery from the Ministry of Health. I know that the government is relatively new but, by the

same token, I presume that this ongoing review that the member for Oriole referred to in 1987 and people before her referred to, and then in 1988 it was referred to and in 1989 it was referred to, has got to be the longest ongoing review of a program ever in the history of the Ontario Legislature, because here we are in 1991 and the current minister is saying: "You know, we've got this review going on of the northern health travel grant program. We'll get around to it. It just takes a little time. We can't do everything in the first six months."

I think Dr Barkin has been over there for a while as Deputy Minister of Health. I am sure that the other officials in the Ministry of Health do not change every time there is an election, I hope. I would hope that the ongoing review has now been completed and that they would see fit to include not only the riding of Parry Sound in the northern health travel grant program, but make the amendments to the program that are being suggested by the honourable member.

1140

As a matter of fact, I might go one step further and be so bold as to suggest that we adopt the distance requirements outlined in Operation Critical by the NDP task force in February 1990 of 80 kilometres, because I really think that would address some of the basic problems that I outlined at the outset.

We are trying in this province, I hope, to provide first-class medical services as close to home as possible for northerners, and if we are going to try to encourage them to use those facilities, such as the one in Sudbury, then surely the very least we can do is make it as easy as possible and provide that little bit of incentive and in many cases much-needed support of these people so they can use the services and receive the treatment that they rightly deserve.

I will be supporting the resolution, as I hope indeed all members of the Legislature will do on a non-partisan issue. I think it is issues such as these where partisan politics really have no place in the Ontario Legislature, and it is during private members' hour such as this morning and dealing with issues like this that very directly touch and affect people perhaps less fortunate in society. I think those are the issues that surely we can rise above partisanship on and support and help the people in the province of Ontario.

**Mr Winniger:** Normally, speaking as a southerner I could support the resolution put forth by the member for Kenora. However, I have two major concerns. First of all, one is that the resolution may not in fact go far enough to assist northerners with their health care needs. But more important, the retroactivity provision in the resolution, in my view, is very problematic.

The northern health travel grant program came into effect in December 1985. The previous government had five full years to make the necessary changes to the travel grant program. It was only in August of 1990, during an election campaign, when an undertaking was made to improve access to health care where northerners have to travel to obtain it, and there is no magic in this 14 August date, other than that is when the former Premier of the province



made certain campaign promises, probably to woo those elusive northern voters.

In any event, there are choices that have to be made with regard to health care in the north. You can bring the services to the health care users. You can transport the health care users to those services. You can offer good community-based health care right in those communities.

I would suggest that while on the one hand we have to improve access to those medically necessary services that northerners require and to provide sufficient travel allowances, we must not do that at the expense of local community-based care. That initiative also has to be prominent. Otherwise, we will just encourage northerners to travel for health care.

Certainly the minimum distance of 250 kilometres should be reduced, in my submission, simply because it encourages those northerners who need health care perhaps to go farther south, more than 250 kilometres, to get the health care that they might receive closer to home.

Reimbursement for travel certainly should be speeded up. Overnight accommodation, which is often required, should be covered. Where a patient over 18 years of age requires a companion, certainly that kind of service should be covered. People who are required to travel to obtain health care fittings, to consult with specialists, to obtain treatment and surgery, they need to have these medically necessary needs covered.

Certainly travel grants were introduced as a temporary measure until the kind of medical services required by these people was available in their own communities, and we cannot lose sight of that if we improve the health care travel accessibility. Certainly the Operation Critical paper recommended reducing the distance for travel grants, that all companions be covered where necessary and that travel costs, including overnight accommodation, be offered.

These initiatives are covered by the resolution, but the retroactive provision is certainly problematic. For that reason, while I support the general thrust of the resolution, I cannot vote for it.

**Mr Brown:** I am pleased to rise today in support of my colleague's resolution, and I must say that I am, first of all, encouraged by the comments of the member for Sault Ste Marie that tell us that the government is moving forward on this issue and is going to do something bigger and better. I think that is commendable and we are looking forward to that happening in the very near future.

I must say also that I applaud the member for Kenora for bringing this forward. One of our other colleagues has mentioned his tenacity on this issue, how he has not let it die, how he has worked hard as a private member to make something happen that is good for northern Ontarians. I think that is commendable.

The member, as some members may know, because not all of us were here during the last session, also presented a bill regarding highway speeds. He suggested that we increase on certain highways in northern Ontario the speed limit by 10 kilometres, and I am pleased to see that the government is now consulting about an announcement which was made that actually would have happened last August. The announcement was not made in August; it

was supposed to happen in August, but now the government is proceeding with that and it appears that on some very safe highways we are going to have a 10-kilometre speed limit raise.

These are two issues brought by a private member to private members' hour that are being proceeded with, and I think, if anything, it shows what a private member can do in this place. I think the member for Kenora should be looked at by all members as somebody who is achieving something that is good for his constituents and good for the area and I think we all should commend him for that.

Dealing with the specific issue, I think the issue really is quality health care for all Ontarians. The issue is providing services as close to home as possible, making sure that we have the specialists and facilities as close to home as possible, but I think we all understand that in the distances of northern Ontario that is just not possible for certain select treatments.

We look at an amazing and I think important development in Sudbury with the cancer treatment centre being located there to serve the whole northeast, but for many of my constituents, or at least some of my constituents, it is still too far away. You still will have to go more than 200 kilometres to get to it, and I have one of the closer constituencies to Sudbury. So that is important, and I think that no matter how we try—and try we should, and that should be our first priority, to provide the best-quality health care as close to home as possible—I am not certain that we ever will achieve totally that goal.

I think the member's resolution and the previous announcement of government policy is a step in the right direction. I look forward to seeing bigger and better things, because I have some concerns myself about this particular resolution.

In my riding, most of my constituents actually, if they are going to be served in the north, are inside the 200-kilometre limit. But I have villages in my constituency, such as Killarney, where you must go to Sudbury for health care. There is a nursing station there and a doctor comes once a week, but for anything that is major, you must go to Sudbury. Some people sometimes go three or four times a week. They travel a lot.

I am not in my own mind completely certain that the way to approach this is a distance criterion at all. Maybe it is a look at the total expenditures over a year necessary for health care. It may be the better approach. I look even at Manitoulin Island, where I have constituents in Meldrum Bay. The hospital in the closest position from them actually is 70 or 80 kilometres away, and if you have to do that every day, that gets to be a great expense and people just cannot afford it.

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I also look at the fact that some people cannot afford any travel. They do not have cars of their own. They do not have people who will take them to a health centre. Public transportation almost does not exist in most areas of my riding. That means you have got to hire cabs, you have got to do things that are very expensive, and I think that we have to look at providing and targeting these kinds of grants to the people who need them the most. It may be, in



these fiscally strained times—as we all know, governments do not have the money to do whatever they might wish—that we must have a look at making sure the people who need it are the ones who get it. I think that is fundamental to our health care system in Ontario.

This might be heresy for a northern Ontario member to say, but I would really like to see this not be a northern Ontario health grant; I think it should be an Ontario travel health grant. There are places like Tobermory. Tobermory is really 15 miles or 20 miles from my riding, and yet for them to get care in Toronto or perhaps in London, or perhaps the service is only available in Ottawa, they have a huge expense that, if you happen to live across the channel on Manitoulin, you would be paid for, but if you happen to live in Tobermory you cannot be, and there are even instances of people in Ottawa who have to travel to London. While we might want to see that people all over the north have good care, it is also important to make sure that people in the rest of the province have the same privileges as we do.

I think when we look at this, the resolution of the member for Kenora goes a long way towards doing what we need to have done in this province, but I think we should be thinking about the total concern of all the people in the province, and as the government moves forward, react appropriately to the needs of the people. Let's not just kind of box ourselves in to this temporary measure.

I am proud to be supporting the resolution of the member for Kenora and hope the government will proceed quickly.

**Mr Silipo:** I want to rise very briefly to speak in support of this resolution. I think that certainly, as somebody who is from the south of the province and from one of the urban centres in the province, it is important also to indicate my support and our support for a resolution of this nature that tries to address the issue of equity, I think, in terms of health services for the people of the north.

As someone who has had an opportunity to travel a little bit within the north, I certainly am a little bit more aware now than I was perhaps in the past about the kinds of needs that exist in the north and the problems that the great distances between communities pose for people. I think that therefore for me it is really a very simple issue in terms of equity and in making sure that if we really believe in having fully accessible health care for all the people of the province, we need to recognize that for that to be achieved there have to be some different rules and some laxer rules for areas like the north.

Having said that, I just want to say, and this will not in the end prevent me from supporting this resolution, that I do have a concern around the last provision the member for Kenora has put into this resolution. That is the issue of retroactivity that some members have spoken to. I certainly do not see how the retroactivity could be brought about. I see a lot of administrative nightmares in doing that, but I will support this notwithstanding that.

The point I want to make on that issue is that I think it is unfortunate that when resolutions are brought forward that deal with important principles such as this one does, and which call upon all of us in private members' hour to

go above and beyond our own particular partisan positions on these issues and to support them, I think it is also incumbent upon the people bringing these, if they want us to respond in that vein, not to put into resolutions issues or items that then simply do nothing but tend to bring the debate back into the partisan fold.

I just sort of put that out as a bit of a plea, I guess, for all members in future bringing forward resolutions. If we want these sessions on Thursday mornings to be really meaningful as something that goes beyond partisan positions, I think it is incumbent upon us to remember that in the way we draft these resolutions.

**Mrs Haslam:** Although I totally agree with my honourable colleague, I do want to reiterate exactly what he said. I think this is an important issue that I would like to support, but I have a problem when the perception is game-playing in any type of legislation that is brought forward. I really have a concern that on an issue like this, I wish to support it, but there is always a little hook in there that makes it difficult for me to look at that type of private member's bill that is brought forward. If those types of private members' bills could be looked at in that way, that we do want to support them, that this is an important issue, let's look at the issues so that we can all support them and not put time lines in and not put a hook in there like a retroactivity that is difficult for us to support because we can see the administration problems of it.

Like my honourable colleague, I think this is an important enough issue that I will not let that deter me from supporting this resolution, but I do feel that is a very difficult clause in there that affects some of the ways that some of us look at that particular private member's bill. In this case I will be supporting it, but it is difficult when those time lines and those little things are put into private members' legislation.

**Mr Micalash:** I would just like to thank the members who spoke in favour of this resolution, and even the members who have indicated a problem with the resolution.

Of course, as we have heard, the retroactivity portion of the resolution is the problem. Might I just remind the members opposite a little bit about retroactivity. Let's take a look at Bill 4, at what they as a party are trying to do with Bill 4. There is no problem in retroactivity there.

What I am suggesting here is that we take a look back to a portion of this resolution that says retroactivity back to when the people of northern Ontario—I must remember the southern member for London South, who got up and showed that he is definitely a southern member, not concerned about the smaller centres. Of course we would like care in all of our smaller centres throughout the north. We know that is impractical. As he travelled the north with the member for Dovercourt, I would have thought he would have seen a little bit of that, a little bit of the fact that we cannot provide all those services throughout the entire north in our smaller centres.

The member for Parry Sound spoke to me regarding the retroactivity of this particular portion of my resolution, and he indicated that the OHIP office in Kingston is looking at many of the proposals, the applications that were put



to it, and is holding them. They were sort of anticipating that this would be coming forth, as was announced on 14 August. He has indicated to me that he has researched it and has found that they are holding these applications from that date onward.

So that is where I can speak a little bit more on the retroactivity and how important it is to those many people who have travelled, who have listened to the former Premier speak on this, sort of being encouraged by his words, and have kept track of what it has cost them since.

Again, I would like to thank those members who supported this resolution and as well those who spoke against it.

#### ELECTION AMENDMENT ACT, 1991

**The Deputy Speaker:** Mr Mills has moved second reading of Bill 65.

Motion agreed to.

Bill ordered for committee of the whole House.

1206

#### NORTHERN HEALTH TRAVEL GRANTS

The House divided on Mr Miclash's motion of resolution 9, which was agreed to on the following vote:

**Ayes—37**

Arnott, Bradley, Brown, Carr, Curling, Drainville, Duignan, Eves, Fawcett, Harnick, Haslam, Hayes, Klopp, Kormos, Malkowski, Martin, Mathysen, McClelland, Miclash, Mills, Morrow, Murdoch, B., O'Connor, Offer, Perruzza, Phillips, G., Silipo, Sola, Sterling, Sutherland, Tilson, Villeneuve, Waters, White, Wilson, J., Wiseman, Wood.

**Nays—15**

Abel, Cooper, Coppen, Dadamo, Fletcher, Haeck, Hansen, Hope, Huget, Johnson, Lessard, Owens, Wilson, F., Wilson, G., Winner.

The House recessed at 1210.



## AFTERNOON SITTING

The House resumed at 1330.

ROYAL ASSENT  
SANCTION ROYALE

**The Speaker:** I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Administrator has been pleased to assent to certain bills in his office.

**Clerk Assistant and Clerk of Committees:** The following are the titles of the bills to which His Honour has assented:

Bill 24, An Act to control the private use of Cards issued and Numbers assigned to Insured Persons under the Health Insurance Act;

Projet de loi 24, Loi contrôlant l'usage dans le secteur privé des cartes et des numéros attribués aux assurés en vertu de la Loi sur l'assurance-santé ;

Bill 31, An Act to amend the Representation Act, 1986;

Bill Pr29, An Act respecting the City of London.

OPPOSITION DAY

**The Speaker:** Members will be aware that there appears in today's Orders and Notices two notices of an opposition day to be debated next week. Under standing order 41(d), the Speaker is required to select one of these notices for consideration, taking into account the order in which they were received. I would like to advise the members that the motion by Mr Elston will be the one that will be selected for debate next week.

MEMBERS' STATEMENTS

VISITORS

**Mr Daigeler:** I am very pleased to welcome a student delegation from Pope John XXIII elementary school in my riding which is visiting today at Queen's Park. For many members who represent regions in central and southern Ontario, school trips to Queen's Park are a common occurrence. For me, on the other hand, this is only the third student visit since my election in 1987.

For obvious reasons, schools in the Ottawa area and eastern Ontario make it a regular practice to observe the proceedings of the federal House. Hence, I am all the more pleased that the Nepean school, which my own children attended, has chosen to learn at first hand about Queen's Park and what the provincial government is all about.

Like other members, I am invited from time to time to speak to children about my role and responsibilities as an MPP. Frankly, I enjoy nothing more than talking about my work as a legislator with our young generation. I always try to give them a sense of their own power and their own responsibility in a democratic society. Who knows? I may even start a political service career in some of these young minds.

It is important for our schools to teach about the public policy process, and I thank the teachers who organize these parliamentary visits like the one from Nepean today.

JULIAN EASTER

**Mr Jackson:** It is with great pleasure that I rise to acknowledge this week's Julian Easter celebration which will be observed by many Ontario citizens on Sunday 7 April. The independent Easter date, which continues to be used by the churches of the Christian east, has become a significant aspect of the particular religious and cultural identities of those communities.

This weekend, the great mystery that is Easter will be relived by colourful services and ancient traditions, calling to mind the death and resurrection of Christ. The celebrations, however, will have different emphasis for different communities. The Ethiopian Church, under its patriarch, Abuna Takla Haymonot, is one for which the pain of Good Friday continues to characterize its life. Ethiopia today faces a renewed threat of famine and the ravages of war. It is my sincere hope that the Ethiopians' plight will touch the hearts of all western leaders, especially at this Easter season.

As someone personally with deep ancestral Ukrainian roots, I share the joy of all Ukrainian Catholics, whose church will be able to experience resurrection in a way it has not known for a long period of time. This year, the head of the Ukrainian Catholic Church, Cardinal Myroslav Lubachivsky, has returned to his homeland from exile to be with his people on Easter Day for the first time in 40 years, and the Ukrainian people in Canada, celebrating Easter this year for the 100th time since the coming of their first ancestors to this country, can join with their families and friends in the ethnic homeland in the unity of love and perfect freedom of worship.

On behalf of that community, let me say in Ukrainian, Christ is risen.

ONTARIO TEACHERS' FEDERATION

**Mr Owens:** Today on behalf of this House I would like to welcome the Ontario Teachers' Federation to Queen's Park. The Ontario Teachers' Federation board of governors is meeting with all three caucuses to discuss important educational issues. The federation comprises five affiliated groups, the Ontario Secondary School Teachers' Federation, the Federation of Women Teachers' Associations of Ontario, the Ontario Public School Teachers' Federation, the Ontario English Catholic Teachers' Association and l'Association des enseignantes et des enseignants franco-ontariens.

The federation acts as an effective advocate on many educational issues. It was established in 1944 through the Teaching Profession Act and has remained the main professional organization for the 110,000 teachers across the province.

I would like to thank the federation for taking the time to meet with MPPs. Input from this group, which represents front-line service providers in education, is so important. I sincerely hope the federation continues its good work in providing MPPs with valuable information, which



certainly assists us as legislators in producing high-quality legislation in the area of education.

Mr Speaker, as a member of the Ontario Teachers' Federation, I know you will take the opportunity to join me in saying a special hello to Bill Sparks, the Scarborough representative of the Ontario Teachers' Federation.

#### GASOLINE PRICES

**Mr Ramsay:** Today I would like to talk about an issue which is of great concern to the constituents of Timiskaming and most northerners. Gasoline prices in the north are often higher than in southern parts of the province, and of course long-distance travel is often a necessity in my riding of Timiskaming, with little or no public transportation available.

Recently a poll was taken in the Kirkland Lake local paper, the Northern Daily News, where readers were asked to send in a coupon if they felt gasoline and oil prices should be investigated. Some 453 coupons were received, which represents 8% of the readership.

As of 27 March, gasoline prices were as follows: in Kirkland Lake, 58.3 cents a litre, in New Liskeard, 57.7 cents and in Timmins, 56.8 cents.

Last December the Minister of Energy commented that higher gasoline prices in the north could be attributed to the higher cost of transporting the fuel to northern gas outlets. Timmins is 210 kilometres north of New Liskeard and it has cheaper gas. It is obvious that the minister's answer is not good enough, and the people of my riding of Timiskaming demand this to be corrected right away.

#### MUNICIPAL-INDUSTRIAL STRATEGY FOR ABATEMENT

**Mr Runciman:** I rise to draw to the attention of all members a weakness in the wording of the Ministry of the Environment's municipal-industrial strategy for abatement. This matter was brought to my attention by Iain Grant of Brockville.

While my party supports MISA, which is designed to improve the quality of our lakes and rivers by limiting the amount of various chemicals being dumped into our sewers, I draw to the attention of the House the regulation concerning discharge to combined sewers.

The regulation states that the discharge of phosphorus cannot exceed 10 milligrams per litre. However, scientific analysis proves that phosphorus present in normal adult urine ranges from one to two grams per litre over a 14-hour period. This means that everyone who answers the call to nature in a public or industrial building is contravening the MISA regulations by a factor of 200.

Does this mean that managers will be forced to limit the volume of liquid consumed by employees during working hours, thus minimizing the need for kidney flushing? Will coffee breaks be discontinued, only to be supplanted by quick trips home for a pause for the cause, since the regulations do not apply to private residences? Perhaps industries will be forced to lock their lavatories.

This revelation would be merely amusing if it were not for the serious penalties proposed for both individuals and corporations, fines of \$25,000 per day. I encourage the

Minister of the Environment to amend the MISA regulations so that phosphorous discharges remain limited but do not result in unrealistic penalties being levied against the citizens of this province.

1340

#### MEMBERS' CONDUCT

**Mr Fletcher:** On 26 March 1991 the member for Mississauga West made a complaint about my householder. The member read a part of the question from my householder. He did not read the whole question. I feel that the omission of this part of the question created an inaccurate account of my householder. I hope that the member for Mississauga West was not intentionally trying to mislead or deceive anyone.

Yesterday the member for Scarborough North mentioned that he was upset because the standing committee on the Ombudsman had adjourned early. The member failed to mention that the committee was to reconvene at the Office of the Ombudsman so that committee members could observe the goings-on of that office and they would learn something about it. I hope that the member did not intentionally intend to mislead or deceive anyone.

The official opposition is a party with no direction, little credibility, no leadership and obviously no future. The results of 6 September were not a fluke; they were a message that the people of Ontario do not want misleading or deceitful politicians any more.

As a rookie MPP, I have learned much, but I hope to learn so much more. I do not want to become as the members sitting opposite.

#### MINISTERIAL STATEMENTS

**Mr McGuinty:** The following is a list of questions and answers collected during my acquaintance with the Minister of Energy. By sharing these, I think we will all gain a keen insight into the minister's productivity during the past seven months.

Question: Will the minister fulfil the NDP promise to phase out nuclear generation?

Answer: It is under review.

Question: Will the minister fulfil the NDP promise to prohibit Ontario Hydro from exporting tritium?

Answer: It is under review.

Question: Will the minister fulfil the NDP promise to ban all energy from waste facilities?

Answer: It is under review.

Question: Will the minister fulfil the NDP promise to purchase all uranium from Elliot Lake?

Answer: It is under review.

Question: Will the minister carry out the NDP promise to adopt a 20% reduction in carbon dioxide emissions by 2005?

Answer: It is under review.

Question: Will the minister fulfil the NDP commitment to reduce carbon emissions in new cars?

Answer: It is under review.

Question: Will the minister fulfil the NDP commitment to establish a rebate program for fuel-efficient cars?

Answer: It is under review.



**Question:** Will the minister fulfil the NDP commitment to impose a carbon tax on fossil fuels?

**Answer:** It is under review.

**Question:** Will the minister fulfil the NDP commitment to increase hydro buyback rates paid to private power producers?

**Answer:** It is under review.

**Question:** What does the minister propose to do about declining block rates for Hydro's commercial customers?

**Answer:** It is under review.

I could go on and on, but I understand that the House must adjourn at 6 o'clock.

#### WOMEN IN POLITICS

**Mrs Witmer:** As critic for women's issues, I was shocked this morning to listen to one of the Premier's inner circle of advisers on Canada AM in a panel discussion about the appointment of the first female Premier in the history of this country, Mrs Rita Johnston.

Gerry Caplan, a long-time NDP spokesperson, stated, "Conservative women don't advance the cause of women at all." In fact, he went on to say, "If you are woman in politics, unless you take a different position, then you may as well be a man."

I take offence at Mr Caplan's comments. I believe women have every right to take any position they want in politics. I find it ironic that these comments were made by a member of the party which purports to be the advocate of women in Canada, which is very proud, as we all are, of the record number of women in this provincial cabinet. Surely Mr Caplan must recognize the sheer symbolic significance of the first woman being appointed as a first minister in this country.

I believe that every female member in this chamber represents and indeed advances the cause of women in Ontario, and I believe that comments such as this are an insult to all women.

#### JOHN YOVANOV AND ARCHIE MCCOY

**Mr Abel:** It is with great pleasure today that I rise to pay tribute to two very special people from the town of Flamborough in the riding of Wentworth North, John Yovanov and Archie McCoy.

John Yovanov has been awarded the Joe Fletcher Memorial Trophy as the Wentworth agricultural community's citizen of the year. As a successful farmer and a Wentworth school board trustee, John's service to agriculture has stemmed chiefly from his recognition that farmers need to help people of the urban public gain an understanding of agriculture, the source of their food supply. He has worked steadfastly to that end for many years.

Archie McCoy has been awarded the first Flamborough Corporate Citizen of the Year award. Archie, like John, is a well-known farmer in the area. Besides producing one of Ontario's top dairy herds of Holsteins and Brown Swiss, Archie is also owner of McCoy Industries Ltd, the largest privately owned die cast foundry in the province. A confirmed environmentalist, Archie has spent over \$1 million to ensure clean air emissions from his foundry. His landscaping efforts have won him the

Trillium Award and his farm operations are in the forefront in soil conservation and environmental improvements.

In conclusion, I would like to say that John Yovanov and Archie McCoy are both outstanding examples of good citizens. While they prospered by hard work and business practices, they have not lost touch with the people in their community. We are all very proud to have John and Archie in our community.

**Mr Cousens:** Mr Speaker, I request unanimous consent for statements from all parties on International Refugee Rights Day.

Agreed to.

#### INTERNATIONAL REFUGEE RIGHTS DAY

**Mr Cousens:** Many questions have to be answered, and if only we took the time to ask a few of them. How many refugees are there in the world today? How many of them are suffering for lack of food, lack of clothing, no home, no roof, no health protection? How many other people are refugees just because of the war that is on in their country, such as the Kurds on the borders of Turkey? How many refugees are there coming out of Africa right now? How many residents are there in Ontario and in Canada who have come here as refugees, come here as a place to live and establish their homes and make this their place to live?

I am pleased that this House today will at least pause for a few moments to reflect upon the importance of International Refugee Rights Day. It is an important time for all of us to pay our respects to refugees all over the world, remembering that governments cannot solve the problem by themselves but that all of us as citizens of the world have a responsibility.

Interjections.

**Mr Cousens:** I see this as an important statement.

**The Speaker:** Will the member take his seat? I agree entirely with the member for Markham. I believe this could be an important occasion. I think it requires a degree of solemnity, not often enjoyed in the House, today. I invite all members to listen carefully to the remarks by the member for Markham and any other members who wish to participate.

**Mr Cousens:** In the aftermath of the war in Iraq, we are now only beginning to learn of the horrors facing the people of Iraq and Kuwait. Millions of others in countries around the world face terror and tyranny on a daily basis.

We in Canada take pride in our commitment to the principles of human rights and freedoms. Thousands of people each year find refuge in our country, to escape repression and to start their lives anew, free from repression and human indignity. The vast majority of those seeking refuge make Ontario, and indeed the Toronto area, their home. They come here in the hope that they too can live freely and prosper in ways that many of us have taken for granted.

This country has a proud tradition of acceptance and tolerance of all cultures. Our forebears were people from other countries who persevered and toiled in making this nation what it is today. As we struggle with the many



internal problems we in Canada now face, let us take time to appreciate the many things we share and should appreciate. Let us take the time to remember that our national crises pale in comparison to the plight of those who consider day-to-day survival a major accomplishment.

1350

**Mr Cordiano:** I too wish to associate myself with the remarks just made. We mark this day as International Refugee Rights Day. Of course, we recognize it around the world. There are many people suffering who are refugees fleeing from oppression, repression and starvation. It is as simple as that. As I was thinking about this statement, I thought to myself, this has been said many, many times, about how we at this time in our history can reflect on the fact that we take what we have, in many ways, for granted. I say that personally.

When we see the plight of many millions of people throughout the world who are suffering in the way that they are as refugees, we can sit back and ask ourselves if there is not more that we can do. Certainly I think, in the context of our nation and in the context of the difficulties we face right here in this country, there is a whole lot more we can do as citizens of Canada.

We currently have 20,000 refugee claimants in Ontario. That is more than a 40% increase since September 1989. It is a huge backlog in the federal refugee claimants process which the federal government has not succeeded in improving significantly. I think that there is a great deal that we must say about the plight of those people who are now on social assistance, who as a result of federal laws are not eligible to work legally in this country, in this province.

I think it is time that both our levels of government, both the federal government and the provincial government, took some concrete steps to deal with the plight of these people who are refugees who are on social assistance and using up enormous resources in our social assistance system. I think we would be much better off if we would issue work permits so that these people can gain employment right now, ameliorate their problems, have decent work, go out, earn some pay and contribute to the economy of this province.

I think that is something that can and should be done. This government should look at it seriously and I ask the minister to do just that.

**Hon Ms Ziemba:** Today, as the members know, is International Refugees Rights Day. It commemorates the decision on the Singh case handed down six years ago by the Supreme Court of Canada which granted refugee claimants certain basic rights under the Charter of Rights and Freedoms. This landmark decision transformed the status of refugees in this country by guaranteeing them the right to an oral hearing and to the basic protections set out by the charter. I rise in the House today to lend this government's support to the precedent-setting Singh decision and to this commemorative day.

I also wish to speak out on behalf of refugee claimants, the majority of whom arrive in Ontario. The refugee claimant determination process is out of control in this country. The federal government has made attempts to un-

block what has become known as the backlog in the system, but the fact is that 70% of the existing claims do not yet have a final determination. Many more refugee claimants than ever before are waiting, sometimes for years, for a decision on whether or not they will be able to remain in this country. This makes a mockery of the spirit of the Supreme Court's 1985 decision. The Canadian Council of Churches has argued that the lengthy delays that plague the system constitute an abuse of human rights.

There are some concerns that the decision which we honour today may have contributed to the growing crisis in refugee policy through its insistence on the right to an oral hearing. There have even been calls to override the decision, a provision that also exists under the Charter of Rights. I do not want to see this happen. I believe the problem is with the cost and the time involved in administering unwieldy regulations. We should not doubt the validity of the decision itself, a compassionate and a just decision, but rather the process it has led to. In 1984, the year before the Singh case, there were some 11,000 refugee claims awaiting resolution. Now, seven years later and two years into a new determination, there are approximately 90,000 cases in Canada without a final determination of status.

This is clearly an escalating problem. Every month in this country 3,000 people file claims for refugee status and of these, 2,000 are in Ontario, so the issue is of great concern to this government.

The services provided by Ontario Welcome House, a part of my ministry, go some distance in assisting refugees in the resettlement process, yet we do not have a major role in the policy and funding decisions affecting the screening process. My ministry is now examining ways in which we might participate in finding solutions.

Already millions of dollars in welfare payments go towards the support of refugee claimants in this province, and we know that the human costs of waiting in limbo for months or even years are extremely high. While some people who are awaiting decisions on their cases may work after an initial hearing, which may take months to schedule, they may not be reunited with their families and they may not plan for their futures. They have been granted the most rudimentary of rights through the charter but they are without a political voice. They have no vote and no influence over the decisions that will affect their own lives so critically.

Even at a time when our country and our economy are under severe strains—particularly at such a time—we must pursue the search for a compassionate response to the plight of those who have already been the helpless victims of oppression in their own countries, and we must seriously question a system which, however unintentionally, forces refugees to put their lives on hold while our beleaguered bureaucracy tries to catch up.

Perhaps we should be less concerned with so-called bogus claims, since under the new screening process some 85% of refugee claimants are ultimately genuine refugees, and of the remaining 15% many will appeal their decisions and be allowed to stay. Perhaps we should focus instead on ways to speed up the process in the interests of



the overwhelming majority of genuine refugees. In the meantime, we will search for ways in which we might become more responsive to the desperate needs of a vulnerable group in our society.

#### LEGISLATIVE MAP

**Mr Eves:** On a point of order, Mr Speaker: I would bring your and the House's attention to the fact that on the interactive map in the first-floor hallway, the map of the province of Ontario, the name of the community of Temagami is spelt "Timagami." I do not know how many thousands of dollars of the taxpayers' money were spent building this map, but I thought that I should bring it to the attention of the House. Perhaps if you need information about the correct spelling, you could check with the member for Victoria-Haliburton or his solicitor; they might know.

**The Speaker:** I appreciate the member bringing this administrative matter to my attention. I will attend to it.

#### ORAL QUESTIONS

##### UNEMPLOYMENT

**Mr Nixon:** The most recent statistics on unemployment are already a month old and we expect the new ones to become public tomorrow when this House is not in session, but at the present time unemployment has jumped from 6% to 10.4% in less than a year. The matter has been raised repeatedly in the Legislature on the basis that the NDP government has not responded in any effective way to the plight of those who have been dispossessed. If you simply divide those people who have lost their jobs by the number of days, the easy average is 1,600 jobs a day. But if you look at the trend of the numbers, it is accelerating, so that while it might have been less than that a few months ago, it is certainly more than 1,600 a day now.

I have today's Orders and Notices in my hand and, compared to last week, there is no legislation before the House of any significance except that which was put forward by the Minister of Health which, while it is important, has really little or nothing to do with the the economy or the job situation that I am referring to.

Once again, by way of question to the Premier, what is he going to do to urge on his Minister of Labour, who once again sits placidly and complacently in his place, and the other members of his cabinet? What is he going to do to empower himself in that regard so this House can take some action about the continuation of the recession we are suffering here in Ontario and the depredations that it is working on our unemployed?

1400

**Hon Mr Rae:** I want to say to the Leader of the Opposition that I do not think there is a member in this House who does not share the concern that has been expressed by him with respect to the seriousness of the economic situation. There is no question that what we are facing is literally unparalleled since the Second World War in terms of its seriousness and its structural effect.

The approach of the government has been to say that we want to do what we can to protect people who are

being hurt by the impact of the recession. We have put measures in place to do that and more will be forthcoming. The wage protection fund, which the Minister of Labour has responsibility for, will be ready very soon and will be discussed in the House very soon, and if it has the endorsement of members of the other parties, it will be passed very soon, I hope, because it will mean a very substantial transfer of moneys to those people who are out of pocket because they did not have any legislation for the five years the Leader of the Opposition was the Treasurer and for the 42 years the Tory party was in power. That legislation will be forthcoming this spring, and that legislation will make a difference.

I want to ask the Leader of the Opposition not to lose sight of the impact of the anti-recession program which has been very substantial; not to lose sight of the fact that this year we are forgoing some \$500 million in tax revenues because we wanted to see that that money stayed in people's pockets; not to lose sight of the fact that we have child and family support legislation which is being held up in committee by members of his party. That legislation is worth tens of millions of dollars to women and children who are not being properly supported by people who are supposed to be paying for them. The approach this government has taken is to say that help will be given to those who need it most and will be given first.

The last point I want to make to the Leader of the Opposition is this. He will know full well that the government is working now, as he will understand, in preparation for a budget we believe can begin to deal with the problems we face. It is going to take time, it is going to take concerted effort, but I would say to the Leader of the Opposition: "Look to your own inaction over five years for an explanation as to why we are where we are. Look to that as a possible explanation." I would say further to him, "Look to the conduct of your own members when it comes—"

**Mr Sorbara:** I'd like to go head to head with you on that, Bob, because you don't know what you're talking about.

**Mr Nixon:** I admire the Premier's automatic, righteous indignation. The last time I heard it expressed was when he was sitting and standing in this place and expressing to the government of the day, and I was a part of that, the inadequacies of our economic leadership. At that particular time, of course, he should have been aware that during our five years, on average we were creating 5,000 jobs a day, while since he has taken office, he has lost 1,600 jobs a day.

If he wants to blame that on the fact that some committee meeting somewhere in this House is dealing with a piece of legislation, which is a minor amendment to legislation brought forward by the Liberal government, and somehow turn that into a sufficient stimulation so that his elected supporters, with all of their care and ability to differentiate between good, evil and mediocre, have responded so substantially to him, then I suppose that is enough of an accomplishment.

I would simply point out to him that his major response and that of the Treasurer to assist those people unemployed



has not been to bring forward any legislation, however promised, because it is not in the Orders and Notices and the promises that were given last week have once again been unfulfilled, but he is spending this \$700 million, not now when it is needed, but next year when the fiscal year begins, on programs which the Minister of Transportation himself has indicated can be transferred by municipalities to other programs of reasonable and easier finance. In other words, these are simply political handouts to municipalities, school boards, hospitals and others to pay for programs that they had already undertaken.

The Premier was in opposition in 1982 when the then Progressive Conservative government of Ontario and the Liberal government in Ottawa faced a situation not as severe as the one we face now, in which those dollars were directed at getting people off welfare rolls and out of unemployment insurance rather than producing some sort of a political boost for the municipalities, school boards and hospitals, which need more money, but that is another issue.

Will the Premier not undertake now, when his indignation is riding high, when he might even be able to overcome the reluctance of so many of his foot-dragging colleagues, that action is needed and action is needed now? What can he offer for the immediate future in this regard?

**Hon Mr Rae:** I just want to say to the Leader of the Opposition—and we welcome back the member from Gowing and Henderson.

**Mr Scott:** I am glad I am here because you haven't done a damned thing in seven months. You have got the levers. Pull them. Use them. Manage the government. Manage the economy.

**Mr Sorbara:** And it is St George-St David. Get the riding right.

**The Speaker:** It is not my intention to dampen the enthusiasm of any of the members for their active participation in this chamber. My ears are a touch sensitive to language which I determine to not be appropriate for the chamber. I ask all members to keep that in mind as we continue with the discussion. We have the response by the Premier.

**Hon Mr Rae:** I just want to make two points in reply to the Leader of the Opposition. The first point is that he may think \$334 million in unpaid support payments, and dealing with that problem, is a minor amendment. That is not how it is regarded on this side of the House, and I do not think that is how it is regarded by the people who are affected by this.

Second, to be very direct with the Leader of the Opposition, I think he has totally and unfairly described and mischaracterized the nature of the anti-recession program and the investment that is involved and the decisions that have been taken with respect to hundreds of millions of new dollars that are being put into the economy and that we think will have a positive impact on the economy—and, I might say, more money being put in more quickly than is the case in any other province in Canada.

Third, I would say to the Leader of the Opposition two things. First, the wage protection fund is coming and he

knows precisely the impact that that is going to have; second, he knows precisely that the budget is coming as well and he will no doubt understand that the focus of the government has been to produce a budget that we think will have a positive impact on the province and will help us to deal with these very difficult circumstances we face.

**Mr Nixon:** The \$700-million fund the Premier is referring to has certainly been received enthusiastically by school boards, hospitals, municipalities and colleges and universities and other recipients. There is no doubt about that. I simply want to reiterate the point I tried to make last week to his Minister of Community and Social Services, that she should have an impact to see that that money is spent to assist her in the special problems she is experiencing in the rapid growth of those people who require service from the various welfare funds and programs she administers. That is a point that surely must make an impact on a New Democrat, a socialist Premier of Ontario, who must be as sensitive to that as anybody else.

But from the Treasurer himself, I put to the Premier we must be aware that, from his information over two years, 20,000 person-years of employment will be created, and that is 10,000 per year. We are losing jobs at a rate of 1,600 a day and that means over 11,000 in a week. It really means that the 10,000 jobs he is creating are soaked up by the inadequacies of the government initiatives in less than one week.

The Premier says it is more than any other province is doing. One of the reasons is that the problems in Ontario are more intense and deep-seated than those in any other province. Does he not realize that the time to drop his natural defensive armour is now, consult with his colleagues and take the sort of action that is not further postponement, that is not further political defence, but is in fact effective action to relieve those who are unemployed, and get our economy moving again?

1410

**Hon Mr Rae:** That is exactly what we are doing. If the Leader of the Opposition wants to look at the record of what the government has done, there is an increase in social assistance over and above what he and his government had said was adequate. With respect to the action he had said was adequate with respect to 1 January, we said it was not. We put in additional moneys in that regard. Also, for the first time in our history in recent memory, we paid money to the municipalities for that. We provided for 5,000 new day care spaces over and above what his government was doing and was planning to do.

We are looking at this as a problem that requires an immediate response, which is why we decided to create the capital fund and why we have injected as much money into the fund as we have. We also are working hard with industry and workers together to deal not only with the short-term problems, but with the long-term needs of the province and with our need to address the structural problems that exist and what it is going to take to turn them around.

Some of it can be done sooner rather than later. What can be done sooner, we have done. Some of it is being held



up by the opposition leader's own colleagues who are surrounding him at the moment, and some of it is going to take time and effort. We as a government fully intend to put that time and effort into trying to solve this very, very difficult problem.

**Mr Nixon:** It is interesting to hear the Premier rail against the democratic process, but I suppose we are going to hear more of that in the future. As a matter of fact, I predict we will.

#### GARBAGE DISPOSAL

**Mr Nixon:** I have a question of my favourite minister, the Minister of the Environment, who in her announcements in the last couple of days has certainly brought forward a lot of focused community response. She has indicated in her comments outside of this House that there may very well be a garbage gap. Without spending time to describe what that would be, the minister knows what that is. In the short term, it is a time when even the minister's faith in her ability to look after the garbage situation may leave a time when there are no approved sites in the greater Toronto area in which garbage can be deposited, dumped or whatever the proper verb is.

She has indicated she will use her undoubted legislative legal powers to indicate where this extra garbage will be deposited. Of course we are asking her assurance, which she would not give yesterday when asked by a member of the Conservative Party and which she would not give to the press, in the event there will have to be ministerial approval given for depositing garbage in landfill sites that are supposed to be legally full, which appears more and more likely, that there will be a full environmental assessment undertaken before that process begins.

**Hon Mrs Grier:** Let me say to the Leader of the Opposition that I really regret the fact that he does not share my confidence in the people of this province and in the people of the GTA to make some changes in the way they deal with waste. That is what this government is asking of people. We do not underestimate the difficulty of doing that, but we are saying we have to change from being a consumer society and a wasteful society to being a society that conserves, reduces and reuses.

I am very confident people will do that, and when that happens, we will not have a garbage gap. If we have a garbage gap, we will address that problem when it occurs, but at this point we are planning for the long term, we are planning for changes in the system, we are making those changes and we are seeing the results of those changes.

**Mr Nixon:** The minister admirably believes that by good faith alone she is going to convince the residents of Ontario, and particularly the greater Toronto area, that the garbage gap and the difficulties that are envisaged will not occur. I personally hope that she is successful, but something more than good faith is needed. In this instance there is a clear commitment, given by her party and her leader, that is well known to everybody, but it has to be read since it is so clear.

I remember the Premier, in his former capacity as Leader of the Opposition, going out to Whitevale, a very sensitive part of the world when there might possibly have

been a landfill opened up in the event, God forbid, that the terrible Liberals were ever returned to office, and he said on 7 August, "All new dump sites and expansions of old ones must go through full environmental assessments which look at the environmental, social, cultural and economic impacts of a project."

I have the highest admiration for the minister, and I will not repeat that too often, having done it twice in this question, and I respect her good faith, but we have a commitment—a clear one—from the government for a full environmental assessment. How can she now say, "We will decide that when the time comes"?

**Hon Mrs Grier:** There is a very significant difference between the policies of this government and the policies of the previous government. As the Leader of the Opposition said, the site in Whitevale, on which the Premier was standing when that quote was given, had been identified by the previous government as an interim landfill site. Interim was for four or five years. That government was going to exempt that greenfield site from a full environmental assessment. This government has said, "When we look for a new site, we will subject it to an environmental assessment," and that is what we are going to do.

**Mr Nixon:** A wise and trusted colleague and adviser of mine said this morning that the Minister of the Environment is acting, as she pronounces these policies, as if she will not be around when the decisions have to be made, because the two simply are mutually exclusive.

I would like to ask the minister if, in her careful thoughts associated with this, and her reliance on faith rather than good works for garbage salvation, she is prepared to consider, during the garbage gap, even though she hopes that will not occur, that the garbage could be shipped out of the country, as it presently is, I believe, by Halton, at a cost of some millions of dollars per year, where they presently ship it over to western New York, or is it possible that she might review her position on interregional shipment during that period of hiatus, difficulty, the garbage gap? What sort of flexibility in her own mind is there in the event that this thing does not work out quite as fortuitously as she hopes?

**Hon Mrs Grier:** I am sorry to disappoint the Leader of the Opposition, but I intend to be around for a very long time, and I am prepared to make the tough decisions now, when they need to be made, and not put them off until a fortuitous time. The decisions that we have made are not merely going on faith. We have an integrated waste management program, and that program is beginning to show results. Who would have thought four months ago that Metropolitan Toronto council, as it did yesterday, would have said that every home should have a composter? That is the kind of change that we are instigating. That is the kind of change that will happen, and that is the kind of change that will make sure that there is no garbage gap, but that we meet our objectives.

1420

**Mr Harris:** I was pleased to hear from the minister that she plans to be around, the same way I heard from the member for Welland-Thorold last fall that he planned to be



around for a long time. We will see what happens when the conflict with the Premier's objectives arises.

I realize this government is not long on fiscal responsibility, but I do have a question for the Minister of the Environment on the pricetag of New Democratic Party ineptitude. Would the minister tell this House exactly how much it has cost the municipal and the provincial taxpayers of this province as a result of the minister trashing every viable waste disposal option that was open to Metro, and could she share that cost with this House?

**Hon Mrs Grier:** I am sorry, but I cannot give the leader of the third party any specific figures. There are a lot of estimates and rather wild estimates being thrown around as to the costs that have been undertaken by a range of municipalities. As I said in November, we are using the data that have been collected, the studies that have been done on many of the sites and many of the options, those within the GTA, which the public waste authority will build on as they proceeds towards the environmental assessment.

**Mr Harris:** I quite frankly did not expect the minister to know, because I do not really expect that the government costs out anything it promises or that it plans on doing. When it comes to the cost or the fiscal responsibility, or as we saw in the Ministry of Transportation whether the money is spent where it is supposed to be spent, we are finding that the government really has no control at all.

On 21 November the minister said this, "I will be moving quickly to implement a number of waste reduction measures." On 21 February—she seems to like the 21st for making these promises—the minister said, "What I am offering is a province-wide action plan and specific suggestions." It is now April. We have seen nothing specific. We have seen no solid guidelines. We have seen no solid game plans. All we see is solid waste.

Surely since the minister knew a year ago, as she was in opposition, not only that time was running out but that it had run out—she would agree, I think now, that time has run out—can she tell us when she is going to tell anybody what they can do since all we have heard from her so far is what they cannot do?

**Hon Mrs Grier:** I am sure in view of his question that the leader has read my announcement of 21 February. It was a very positive and concrete announcement of a variety of ways in which municipalities could move towards waste reduction. That involved looking at the separation of waste at source, putting in place waste audits, developing waste reduction action plans, being relieved from some of the approval obligations that existed with respect to getting centralized composting put in place, and an indication that we were prepared to look at an enhancement of the grant program that would facilitate municipalities doing what municipalities want to do, which is to get serious about reducing the waste, not just stuffing it in a hole in somebody's back yard.

**Mr Harris:** I find it fascinating. The minister says she has been specific and yet on 4 April, in an article in the Toronto Sun, when we were hearing about trash penalties coming, she is quoted as saying: "Oh, well, I don't have a

fleshed-out game plan yet. I don't know what the fine is going to be. I don't know who is going to impose them, but I think people want to be told what to do." I agree. Now she has told them all the things they cannot do. I agree. They are waiting to hear if there is anything that they can do.

Since the minister has now assumed responsibility I would ask her this: She seems to be the only one in the whole of the province who does not believe there is a garbage gap. A year ago she said there was, but now she does not think there is one. We cannot afford to wait, Metropolitan Toronto cannot afford to wait and Ontario cannot afford to wait. In view of the fact the minister's announcements to date have had no solutions, have just ruled out options, narrowed down the options, told them what they cannot do, specifically can she tell us what it is that she intends to do when all the sites are full in 1993 because everybody knows that is going to be the case. Can the minister tell us specifically what happens in 1993?

**Hon Mrs Grier:** I do not know of anybody other than the leader of the third party who is indicating that the GTA will be out of waste capacity in 1993. The figure I have been using is the middle of 1994. There are indications from the statistics that are coming in monthly that the rate of waste generation is slowing partially because of the initiatives we have taken and partially because of the economic situation; I acknowledge that.

Let's talk about 1993. By 1993 we will be well under way with the selection and the evaluation of long-term sites to take the residue of the greater Toronto area's waste and we will be looking for sites based on environmental principles, and we will have put in place across the GTA and across the province a waste management system that puts the environment first. When we build into the cost, we build in environmental costs and we make decisions on the basis of what is best for the environment. That is what we have done. That is what we said we would do and that is what we have continued to do.

**Mr Harris:** Short of carrying on the way the government is going economically, there will not be anybody left who can afford to live in Toronto or be able to buy food. I agree with the minister, if she keeps up that total record, she will not need any more landfill sites. I hope that is not the solution the minister is proposing.

DAVID PATTERSON

**Mr Harris:** My second question is for the Premier. In February 1990, a pretty well publicized court decision was made against the United Steelworkers of America and David Patterson, the head of its Canadian branch. Specifically, Mr Patterson was found guilty of making false allegations of customs fraud against Procor Ltd. In view of this, does the Premier think it is appropriate that Mr Patterson remains presently as his appointment on the Ontario Labour Relations Board.

**Hon Mr Rae:** First of all, because the leader of the third party is again making certain allegations, let me say first of all that the second thing he said, that he is my appointment on the Ontario Labour Relations Board, is false. Mr Patterson was appointed to the Ontario Labour



Relations Board by the previous government. He was appointed as a labour-sides person to the board. So let me just say with respect to the second statement that the member has made, that is incorrect. Perhaps the member would like to stand up and correct the record and make that clear as he says that.

**Mr Harris:** On a point of order, Mr Speaker: I accept the Premier's invitation. He has asked me to correct the record.

**The Speaker:** The Premier did invite the leader of the third party to correct the record.

**Mr Harris:** Perhaps I did not phrase it right. What I certainly had meant—

Interjections.

**Mr Harris:** The members do not want me to correct the record? I thought I said, and the record will show, that he remains as the Premier's appointment. If that is not what I said, it is what I am saying now, that he remains as the Premier's appointment. The former Premier has no power now to remove him, so he remains as the Premier's appointment. If I was not clear, I want the Premier to be clear on that.

**Hon Mr Rae:** Second, and I will have to look into the matter with respect to the statement that has been made, the member talked about a conviction. It is my recollection that what there was in this regard was a civil suit between two parties, a trade union and a company; a civil suit, that is my belief. So when the member talks about a conviction, I just hope he is right. When he goes around talking about convictions, he goes around talking about other people's families, he stands up and talks about carpets in the house. Let's try and get the facts straight before he makes the allegations.

Interjections.

1430

#### LEGISLATIVE MAP

**The Speaker:** Before the leader of the third party continues with his supplementary, perhaps this would be an opportune moment to mention to the member for Parry Sound and others that the spelling error to which he referred is at this very moment being attended to and with any luck the map will be repaired shortly.

#### DAVID PATTERSON

**Mr Harris:** The court decision is well known. The documentation that is released there is well known. What I am questioning are the Premier's standards, what he considers acceptable for appointment to his boards and commissions or his caucus or his cabinet. The Premier is quite right; it was a civil lawsuit. The judge, in ruling against the union and Mr Patterson, said, "It was Patterson who orchestrated most of the actions of the defendants," and "The actions of the defendants, particularly that of Patterson, were reckless, vindictive and inappropriate, and he lent his high office to the whole process and gave it credibility."

That is a matter of record, that is the public record and that is there. In response to the resignation of the member for Oakwood in October, the Premier said: "The message is very clear. I don't expect perfection, but I do expect high standards

of conduct." We know what happened to the member for Oakwood. He was thrown right out of caucus.

I would ask the Premier, in view of this decision and the judge's, unless the Premier is disputing the judge's comments, can he tell me why Mr Patterson is still sitting as the Premier's appointee on the Ontario Labour Relations Board?

**Hon Mr Rae:** Again, I want to be fair to everyone. Maybe it is called learning, but what I would like to do is say to the member that I am not going to give him an instant answer. I am going to look into the circumstances involved. But I do want the two corrections to be established. First, there is no question of a conviction involved here. There is a civil dispute in which a decision was made by a judge with respect to that civil dispute, which was a lawsuit between two parties to a contract. Second, Mr Patterson was appointed and now serves as a result of an appointment by the previous government.

**Mr Harris:** I have said yes, it was a civil suit where clearly Mr Patterson was found in the wrong and the allegations are as a result of that. I think there were more than allegations in that judgement; they were findings and judgement, I think, of \$200,000 was awarded to the company as a result of the inappropriate actions and behaviour of Mr Patterson. I think we understand that he was appointed by the former Premier; however, he sits there at the leisure of this Premier.

**Hon Mr Wildman:** Leisure?

**Mr Harris:** Pleasure. Is that a better word? All right.

I think there is a clear parallel between the Patterson case and the case of the member for Oakwood. The member for Oakwood paid the price. He erred as an employer, obviously a grave sin in the Premier's handbook, so the Premier turfed him right out of caucus. Mr Patterson, on the other hand, erred as a labour leader. Once again, I suggest to the Premier that he is sending out the message that making a mistake is okay, inappropriate behaviour and conduct and action is okay as long as it is a cause the Premier believes in. But if it is a cause the Premier does not believe in, then the slightest mistake is cause to be turfed out. Would the Premier not agree with me that this is the mixed signal that he is sending out about his standards, his ethics?

**Hon Mr Rae:** I think I have probably learned enough over the last several years, and certainly the last several months, that no one serves at my leisure, because I do not have a whole lot of that at the moment, but there you are.

I think I owe it to everyone involved to have a look into the particular allegations that have been made by the leader of the third party and obviously I will do that. The other thing I have learned is that there is a difference between saying something and proving something and I am just going to have to have a look at what has been said.

#### CROSS-BORDER SHOPPING

**Mrs Caplan:** My question is to the Minister of Revenue. I have just returned from the Niagara Peninsula where I visited communities like Welland, St Catharines and Fort Erie. I witnessed at first hand the results of her government's failure to address the cross-border shopping issue. It is rapidly turning the downtowns of those communities into



ghostlike towns. In response to the urgent pleas from Niagara and communities such as her own around this province, her government has pointed the finger of blame at everyone else. They have taken no responsibility and they have taken no action.

A customs official in Fort Erie told me today that he knew what the problem was, that he was seeing increases of 30% traffic across that border. He also told me what chambers of commerce have told the minister and her fellow ministers. He also told me what the Shop Ontario group has been telling her government; he told me what municipalities have been saying, what the mayors yesterday told her government. He said part of the solution to cross-border shopping lies in the reduction of provincial gasoline and sales taxes, the differentials that were discussed this morning at the very committee where she was present.

Will the minister stand in this House today and commit to give her constituents and border communities across this province some relief by instituting those very policies that have been suggested time and time again to her government?

**Hon Ms Wark-Martyn:** I would like to inform the member that cross-border shopping did not start on 6 September when we became elected. This has been an ongoing and growing problem that unfortunately was not addressed by her government but that we will address as a government. It is also very important for everyone to realize that as a government we are not the only player which has to solve this problem. We have to work with the federal government, with municipalities, with businesses and consumers. There is a lot of work to be done.

I have presently asked to meet with the Minister of National Revenue to discuss cross-border shopping in our province and how it is affecting us and what we see as solutions to the problem from talking with him. We are working on this and we encourage members opposite to work with us, so that our economy can become stabilized and we can work together.

**Mrs Caplan:** The minister's answer is clearly unacceptable. I find it offensive that the Premier went to Sault Ste Marie on 23 January and said his government was looking into the situation. That was after he had been in office four months. His Minister of Revenue today has nothing but empty rhetoric again. The Premier said in January that there were solutions; he knows there is action that can be taken. I will say to the minister that you do not solve problems by blaming everyone else; you solve them by doing what you can. There is much that she can do. The solutions have been identified for the provincial government.

**Hon Mr Cooke:** Like what? Tell us.

**Mrs Caplan:** Is the member listening?

**Hon Mr Cooke:** I'm listening.

**Mrs Caplan:** The minister can reduce provincial gasoline and sales taxes and she can help her constituents and the people of this province. All it would take would be two small actions, amendments to existing legislation by the Minister of Revenue. Yes or no, will the minister stand in this House today? Yes or no, will she help? Yes or no, will

she take that action on behalf of border communities in this province?

**Hon Ms Wark-Martyn:** Yes, I will work on this problem, as will all of my colleagues, as will this government, and I look forward to the member working with us.

1440

## EDUCATION

**Mrs Cunningham:** I have a question for the Minister of Education. There are five areas of education that are being examined in the present review of Ontario's curriculum: the early years, formative years, transition years, specialization years and technological education. We know there has been consultation. We also know there is a lack of co-ordination between these groups. Teachers have been asked to respond to the document on transition years before the document on specialization years has been released. Without a co-ordinated effort, the minister and I both know that this process, to put it bluntly, is useless. Will the minister launch a review of the present restructuring process to ensure that the timing and substance in the work of the various teams is synchronized?

**Hon Mrs Boyd:** I certainly will, because I have said to all the stakeholder groups that in order for this entire curriculum review to make any sense, the agenda that was set does not make sense unless we are putting it all together and, frankly, putting it together with a sixth piece, which is the whole issue of teacher training, both in-service and pre-service training. We need to do a whole piece of work that is going to look at how the whole issue of curriculum and methodology will work together to strengthen our education system.

**Mrs Cunningham:** According to the present policy, by 26 September grade 9 students will no longer be streamed into the basic, general and advanced levels, yet pilot projects have not yet been evaluated. Given the minister's response to my previous question, and that is that she is going to look at this review, she should also be thinking, in addition, that this whole program that is to be implemented in September 1992 is very expensive and that the issue of education funding is before the Fair Tax Commission.

I want to draw the minister's attention to the select committee on education when it stated that additional resources must be allocated for smaller class sizes and in-service training for teachers if we proceed with destreaming. Who will pay for this? Is this another program that will be downloaded on to the local taxpayers?

**Hon Mrs Boyd:** Our government is very concerned, as the member is, about the way in which the initiatives of the previous government were put into place without appropriate study about how they would affect funding and how they would affect the local municipalities. We remain extremely concerned that the deadlines that were set did not take into account the length of time it would take us to really change the whole way in which we finance education and the way we plan it. So I share the member's concerns. Yes, indeed, I believe that in order to carry through the kinds of improvements that we want to make



trust them." So those people are going to have a 15% cap. All the other people who have been left out to dry, who had to spend money—remember, they had to spend the money before they could apply under rent review—are now told, "You are not going to get your increase that was clearly contemplated under Bill 51." He is also factually incorrect in suggesting 45% increases, because his own ministry presented numbers in terms of what the increases were for those people with conditional orders. The majority of them were in the 18% to 25% range.

Consistently the Ministry of Housing presented us with numbers indicating the fallacy of these huge increases that the minister was suggesting had occurred. They did not happen. There were individual instances where there were large percentage increases. Within his opening remarks on Bill 4 in the committee, the minister gave a list of buildings where in fact he suggested there were huge increases, over 100%. Every single location that he mentioned in his opening speech accounted for 24 units in the province, and most of them with very low rental bases.

Now, when you have capping of this nature, it means those people who have spent more than the guidelines are not going to get anything more than that. It does not contemplate the fact that maybe they have a very low rental base, and the minister has presented no evidence whatsoever as to what the rental base was on all of those units that are being capped. It is fundamentally wrong to have two classes of citizens: those people who trusted the legislation under Bill 51 and ordered their affairs within the framework of that, and the people who did not trust it.

**Hon Mr Cooke:** I am going to be leaving my parliamentary assistant in charge for a while, and I will be back in about a half-hour, but I did not want to leave without telling the honourable member from the Conservative Party who just spoke that he can throw out all his versions of the statistics if he wants. The fact of the matter is, the numbers for conditional orders were very clear, and I referred specifically a few minutes ago not to an average increase of 45%, but to some buildings, in particular on Pharmacy, that were 45% and there were some that were higher.

His idea, his solution is to let those tenants sink, and the government has no role in protection. Our party and our government believe that we need to protect those tenants and that we need to have regulation in order to protect those tenants. It is an honest difference of opinion. He would let tenants sink. We will protect them because it is part of our housing strategy.

**The Second Deputy Chair:** The member for Eglinton, who has been patiently waiting.

**Ms Poole:** Thank you, Mr Chair. A patient person I am and I have to be in this Legislature. It is one of the problems with being five feet tall. Sometimes you just do not quite get seen.

I would like to make the case that conditional orders are a very different case than any other type under rent review. The minister has pointed this out and I think it is very true, and the Conservative Party has agreed with this. These are cases where the landlord who applies under the

conditional order provision is extremely cautious. They cannot afford, or they are unwilling to go ahead unless they have a written, ironclad guarantee from government that they are going to be able to pay for those renovations through the rent review system.

The conditional orders: There were not a lot in the province, but they were people who really had faith that the law would protect them. They had as close as one can get to a guarantee under law that they would be reimbursed through the rent control system. Many of them went out and secured loans and were actually on the verge of bankruptcy, because Bill 4 was going to deny them some relief.

So when the minister said he had a concern about those suffering under the conditional order situation, I approached him and I talked in committee on the record about maybe reaching some compromise. There was no plot. There was no meeting behind closed doors to try to decide how to skewer the third party and not have them enter into the conversation. I phoned the minister a couple of times and I said: "Minister, you've said you are willing to look at it. Well, we're willing to compromise." Unlike the third party, I am not willing to stand back on the shoreline and let 100 people drown. If I can save 50% of those people, I will save 50% of those people. Whatever I can do, and whatever is in my power, is what I am going to do. I am not going to throw up my hands and say: "I'm not willing to compromise. I'm not willing to accept anything less than everything." I felt that accepting the 15% cap that the minister suggested was something we could live with.

For most of the people under conditional orders, it satisfied most of their problem. There were a couple of cases where there were very high rent increases, where the 15% did not go far enough, where they will not be able to secure mortgaging and to resolve their financial situation. While I would very much like to help those people, when it came down to the dilemma that the minister described, saying that they could not tolerate the tenants having this 162% increase, which was one of the conditional orders, I felt we had to compromise.

If the compromise is unacceptable to the third party, I am sorry. I am as human as most people. I would like to have my cake and eat it too. I do not like to lose a battle by getting only part of it, but that is the situation we are in. So I will support the minister in what he has agreed to and what he has compromised with. I think, in committee, we did thrash this out on a number of occasions, and I sincerely apologize if the critic for the third party felt that he did not have sufficient notice as to what was happening, but it all happened very quickly. When the proposal was entertained at committee, we explained that. We explained that there was no plot. The Liberals and NDP were not meeting behind closed doors, but we did feel that a compromise was not only possible but feasible.

We have had agreement between at least two of the three caucuses on this amendment, which was passed, and I would hope we would have the concurrence of members of the House today that it was a fair compromise; it may not have given all parties everything they wanted, but at



least it provided some relief. I would stand behind that amendment and support the minister in his comments.

**Mr Tilson:** I think we have finally seen it. The accord is still on. There is no question about that. This support of each other on this terrible legislation has now become quite apparent, with respect to this discriminatory type of legislation.

There certainly was no notice of this compromise to our party. There was no discussion with our party. The Liberal Party and the New Democratic Party simply announced that this is going to be the amendment. They thought it was fair. They gave no logical reason as to where they were picking this 15% cap. They gave no logical reason as to why some people should get it and some people should not. As I indicated before, why not 20%? Why not 10%? Why not 25%? It was just a good figure. It was decided very quickly, and I do not think either party thought this amendment out and realized the unfair implications of it.

It quite clearly is a typical example of this government, with this legislation, that some people are more equal than others. Our party supports all of the people of this province, not just some of the people of this province. We support all of the tenants, we support all of the landlords, and it is becoming quite apparent to us—the Liberal Party, of course, initially supported this legislation and is certainly supporting this amendment, and that is regrettable.

I believe that this legislation will be challenged in the courts. We have already been put on notice by a large group of individuals that as soon as the bill has been passed, it will be challenged under the Constitution. This is a typical section. It is discriminatory. It is saying that some people can get the orders but other people cannot, orders that were granted under the previous legislation which was put forward by the Liberal government. People applied in good faith for those orders and obtained them. Now, of course, they are saying the orders are void, tough luck. On the other hand, 15% of the people who applied for them are saying it is okay, it is fair. It is creating two classes of individuals and we feel that is unfair.

I will not pursue it any more but I believe this particular amendment to section 8, subsection 83(3a) specifically, is discriminatory and should not be passed for the reasons I have indicated.

Section 8 agreed to.

1530

Section 9:

**The Second Deputy Chair:** Ms Poole moves that subsections 100b(1) and (2) of the act, as set out in section 9 of the bill, be struck out and the following substituted:

“(1) Subject to subsection (2), this part applies to every application for rent increase filed after 28 November 1990.

“(2) This part does not apply to an application filed on or before the day that is 30 days after the Residential Rent Regulation Amendment Act, 1991 receives royal assent if the application,

“(a) is made under section 86 of the act; and

“(b) applies only to capital repairs in respect of which the landlord paid or owed money on or before 28 November 1990 for work that has been done.”

**Ms Poole:** I hate to disappoint the critic for the third party, but I have to announce that the accord between the Liberals and the NDP has been a very short-lived one and this amendment will probably prove it.

When the minister first introduced the legislation and in the ensuing months, I made it very clear that the Liberal caucus does not have a problem with the principle and the intent of the bill. We have no problem, in fact we fully supported the attempts to enhance tenant protection and a period of stability while we took a long, hard look at the legislation to see in which way it could be improved.

Also, from the very beginning I have made it clear that we have deep concerns about this legislation, and the one that I am about to address right now is the retroactive provisions. The NDP government will say to the members, “It is retroactive to 1 October.” Seven weeks. Big deal. This is mere illusion because this legislation is not retroactive for seven weeks. This legislation is retroactive for one year, two years, and in some cases three years, and is patently unfair.

Let's take a closer look at the 1 October date which is outlined in the legislation. It is a 1 October rent increase, not a 1 October application. When we are looking at capital repairs, we have to look at how the whole process works. In order to get a rent increase for making major repairs, replacements or renovations, a landlord has to apply to rent review 90 days in advance of the rent increase date. So the legislation automatically is not retroactive to 1 October. We have now got it very clear that it is retroactive to 1 July.

Members should take a closer look at the legislation. The capital work, the major repair, renovation or replacement, must be substantively completed before the landlord can even apply to rent review. So we are no longer talking about a date of 1 July. We have to have the repairs completed by 1 July before the landlord can apply. That means repairs the landlord did in the spring of 1990, and indeed cases in the winter or fall of 1989, are actually caught under this legislation, where under the law of the land the landlord went ahead in good faith, did these repairs or renovations, made his or her application months and months before anybody ever envisaged that the NDP would be in power and there would be a change in government. Lo and behold, here comes this retroactive legislation which says they are caught: “Sorry. Too bad. We know you went out and got a mortgage in order to pay for it. We know that the bank gave you the mortgage because they anticipated there would be revenues coming in, but too bad. That is the way things work.”

Government members on the committee said: “Well, it was a bad investment. They took risks. What business is risk-free?” But I say when we cannot trust and abide by the law of the land and have confidence in it, then we are coming to a sad state of affairs in this province, because of all people, we in this House surely must believe the government of Ontario is the government of Ontario, be it NDP, be it Conservative, be it Liberal; that the government laws have to be the government laws, because people cannot have trust in us as government.



That is not to say laws cannot be changed. Of course laws can be changed. We are in an ever-changing society. But to change them without notice, without any grandfathering to buffer those who have been caught in the system, is not acceptable. It is not acceptable not only to myself as opposition Housing critic, not only to the critic for the third party, not only to a number of members of this House, but it is unacceptable to the people of Ontario. It is unacceptable to the legal counsel for the standing committee on regulations and private bills. Just on 27 March 1991 the legal counsel for that committee gave out a set of guidelines, and guideline 4 is that regulations should not have retrospective effect.

The solicitor for the committee spoke to this point. He said:

"Now, generally in the whole field of construction of law and analysis of law, there is a suspicion of legislation or regulations which act retrospectively, which sort of change the rules backwards in time so that people find out they were doing something legal or did not have an obligation on a certain date; a year later they find out they were wrong." That is one of our own government solicitors talking about the dangers of retroactivity.

One of the most eloquent statements that was made to our committee as we looked at Bill 4 was from the Housing Help Centre of Hamilton-Wentworth. This is a body that helps low-income tenants. They were there to fight on behalf of those people, but they put forward the premise that retroactivity is rarely justified and always dangerous. I think they hit the nail on the head. They asked the government to justify this. They said they saw nothing coming from the government that could justify the effects of the retroactivity.

The minister has stood in the House and has attempted to justify it by saying there were 100% rent increases, 150% rent increases, that the government could not stand for this, so this is why they brought in the retroactivity. But although I am aware of cases where these types of rent increases happened, only one twelve hundredth of 1% of applications on capital to rent review were over 100%. Let's get our facts straight. When we are talking about justifying this retroactivity, let's not drag out the bogymen. There are changes that should and must be made to rent review; there are rent increases that are unacceptable. But let's deal with that problem not in the name of these 100% and 150% rent increases, saying we have to have this draconian retroactive provision to justify it. It does not work.

1540

The average rent increase across the province last year was 5.8%, and at rent review the average increase was 11%. In many areas of the province the average rent increase was far below inflation. So I say to government members that I think what they have done shows they are truly the NDP, but they are not the New Democratic Party; they are the non-democratic party. What they have done here has diminished the rights of each and every one of us. Sure, they have been able to hammer the landlords today. They say: "They're unpopular, nobody likes landlords, so let's hammer the landlords. Nobody will notice and nobody will care."

Who are they going to pick on next? Whose rights are they going to trample on next? "Let's pick the insurance companies. Nobody likes them either. Let's do the insurance companies or the lawyers: I am married to a lawyer. I know how unpopular they are, sometimes in my own household, so let's pick on the lawyers. Let's go after them and then the doctors." Why not pick on the teachers? Where is it going to end? Once they have trampled on one set of rights, it is that much easier to take it one step further. Maybe the government can simply hit all the taxpayers at the same time and save time and raise taxes retroactively. Why not? They have done it once; they can do it again.

One of the presentations to our committee on the retroactivity gave three examples that I think can put it down to every person's level, where you can understand how this would affect you retroactively if it were brought in. As a home owner, imagine having arranged a five-year mortgage at 11%, feeling secure in your new home, until after one year the mortgage company informs you it has declared void your mortgage and for the remaining four years the interest rate has been raised to 15%. As an employer, imagine new minimum wage laws being passed retroactive to 1986. As an employee, imagine your written employment contract simply being cancelled in midterm and your wages reduced. What it comes down to is a matter of fairness and trust. This legislation is going to affect how this government deals with its people and whether it will be trusted by the people.

One of the landlords wrote to me and said, "I am now in a new ballpark, playing a game without knowing the rules and because of retroactivity find that I have just struck out before going to bat." Members may laugh at that, but that is how many of the small landlords, the investors out there in Ontario, are feeling today. They do not feel a trust in government and they do not feel this government has been fair. But they can go home to sleep at night because the people in the NDP will say: "Yes, but the tenants will be happy. We will have pleased the tenants."

In the short term they will have pleased some tenants. They will please them until they find out that those capital repairs are not taking place or until they find out their landlord is now bankrupt because of the retroactivity and they have nobody at all who is minding the ship. They will feel pretty good about it until their maintenance starts to decline because of the air of hostility that has been generated by this government between landlords and tenants. I will say to members, there are a lot of tenants out there who disagree with what they have done.

There is a group of tenants who sent in a petition to our committee. They are tenants of a 56-unit apartment building at 1000 Huron Street in London, Ontario. The government has some NDP members from that area, so maybe members will want to pay some attention, even if they will not pay attention to the people who do not live in NDP ridings. I will quote members from this petition:

"Our landlord has continually striven to give us good rental accommodation at a fair price. Two years ago, when our parking lot became congested, our landlord decided to enlarge it for our benefit at his own expense. We are entitled



to one parking space per unit according to our lease. However, he provided the extra space, which we now use for our second vehicles and our visitors' vehicles, without hesitation.

"We recently had the leaky roof replaced, new carpets installed in all apartments, new countertops and taps, new hall carpets and a beautiful new lobby installed. All of this work was carried out in a proper and legal fashion. All tenants in our building were agreeable to the 17% increase in rent, which our landlord legitimately applied for. We were all given written notification from the Ministry of Housing, informing us that we had 45 days in which to dispute the suggested increase, but we all knew that we had nothing to dispute, because every replacement in our building had been a necessary replacement. Not one of us balked."

This is in capital letters, or upper case, I think the kids say today.

"WE ARE NOW LED TO UNDERSTAND THAT YOU, SIR, ARE NOT GOING TO GRANT OUR LANDLORD HIS INCREASE IN RENT, AND WE WOULD SUGGEST THAT YOU RETHINK THIS DECISION!"

"As tenants, we are concerned that:

"Our landlord may be forced into selling our building to someone who will not look after us nearly as well as he does; and

"The level of care and consideration which we have received in the past will greatly deteriorate because our landlord cannot get a decent return on his investment.

"Your flagrant disregard of our wants and needs leaves us no alternative but to demand that you turn your attention away from landlords and tenants, because you obviously know nothing about this situation.

In short, "Don't call us, we'll call you!"

This petition was signed by 54 tenants in a 56-unit building.

We had other tenant presentations before the committee, where they said that they were opposed to the retroactivity, particularly in relation to the capital repairs. The Bretton Place Tenants' Association felt so strongly about it that it had a press conference. We also had a presentation by the president of the Graydon Hall Manor Tenants' Association, actually three tenants' associations in North York, representing a large number of tenants. What they wrote about this retroactivity was:

"In all fairness, though we appreciate the intent of the legislation brought in to halt abuse in the rental industry by a relatively few landlords, unfortunately its retroactive provisions have caused real hardship for quite a number of honest, hard-working and decent landlords.

"We do not consider it at all fair or ethical to change the rules after the work has been done, except in very exceptional circumstances, and we consider it to be a well-intentioned but unfortunate error of judgement."

It is obvious that not only the landlords think this retroactivity is unfair; many tenants feel that way as well. The Hamilton Spectator, on 26 March, did an editorial on this issue, and it brought up a very valid point, the point that the retroactivity in particular has unnecessarily escalated the hostility between landlords and tenants in this province.

This is what the Spectator said in its editorial:

"In preparing a brand-new rent control law the New Democratic government should rise above the premise that the interests of tenants and landlords cannot be reconciled. The NDP, among its policy goals, wants to protect tenants against high rent increases and poor maintenance standards. That is a fair objective, but it should not be approached in an adversarial way. The government has a choice. It can encourage co-operation by all parties with realistic rent rules that recognize legitimate costs, or it can bring in strict new restrictions that will hamper necessary building maintenance, discourage construction of needed affordable housing and bring more hardship to the people whom rent control is supposed to help.

"Housing Minister Dave Cooke unfortunately has not shown much flexibility, judging by his dogged support of Bill 4, proposed by the NDP as a temporary rent law, pending a new long-term rent control system. Bill 4, now before the Legislature, has two serious flaws. It does not allow for capital improvements to be passed on to tenants if they exceed approved rent increases, and it would effectively reverse rent hikes that had previously been approved.

"It is disappointing that the NDP used its majority in committee to reject a number of constructive Liberal amendments. The Liberals suggested, among other things, that landlords be entitled to pass on capital costs subject to a cap of 5% above the guideline, if the work was needed to ensure the structural soundness of the building, protect tenants' health and safety and when most tenants agree.

"The retroactive provision, meanwhile, has justifiably been attacked as penalizing landlords who had started work before the NDP government was elected in accordance with the law at the time. As the bill stands, owners will not be able to charge higher rents to recover the money they have spent.

"Unless the government undertakes some necessary repairs to Bill 4, its credibility in drafting a workable, even-handed rent control system will be suspect."

1550

I really agree with that analysis because what I think has happened, particularly because of the retroactive provisions which many people believe are unfair and unjust and very punitive, is that relations between landlords and tenants in this province will suffer.

I had a letter from Altus Property Management recently which highlighted what is now going to be happening. It was delivered to several tenants, and I shall not release their names because they have not given me any permission to make their names public. It says:

"Please find enclosed"—the tenant's—"January 1991 rent cheque in the amount of \$19.51 and your repair receipts. I know that I had agreed to pay these bills to correct the damages caused by the previous tenant. When I made this agreement with you I was expecting to get certain rent increases which had already been granted or applied for. Now I find that the NDP has legislated me into a financial loss position and I am not able to live up to our agreement.

"I must now ask you to pay your full January rent in the amount of \$532.94. I do not intend to ask you to pay your December 1990 rent as I had already accepted your repair receipts over a month ago and no matter how hard I



try, I cannot stoop to the level of our provincial government and make you pay retroactively.

"I'm sure you feel that it is disgusting that someone would tell you to spend money and you will be reimbursed only to find after spending the money that you will not. If you wish to call Premier Bob Rae or Housing Minister Dave Cooke, I am sure that they will be happy to explain that thanks to them this is the way business is now done in Ontario."

I think that about sums it up. If that is the way that business is now done in Ontario, pity Ontario and pity the people of Ontario. This is a very dangerous precedent that the minister and the government have established. They could go a long way to dispelling that distrust of government they have created through Bill 4 if they would make the retroactivity fair, as suggested in our amendment, make it retroactive to applications as of 28 November 1990, the date the legislation came in, and make a provision that if work had been completed up to that date, even if the work had not been subject to an application, that should be allowed to flow through.

I do not feel that is unreasonable. I think it is a very reasonable amendment and I think many tenants would accept it as fair. I am hoping the minister will reconsider his position and that the NDP members in this House today will reconsider their position on it and try to make this fair. I would like to vote for this bill on third reading, I would very much like to, and it is in the minister's hands whether he affords me that opportunity.

**Hon Mr Cooke:** This is the same amendment that, I believe, the Liberal Party put forward in committee, and we indicated at the time that we were not prepared to support it. We were not prepared to support it then and we are not prepared to support it now.

I think the member understands that even under the 1 October date that we have selected for Bill 4, there are 130,000 rental units in this province that go through the old system. So there are still 130,000 people who are left unprotected, left to the Liberal rent control legislation, Bill 51, which has so many loopholes in it that it really made it very ineffective for many tenants in this province, many tenants in the member's riding.

Bill 4, which is designed to protect tenants in this province—and I think it is particularly important to protect tenants at a time of recession when incomes are dropping and people are in extremely difficult circumstances—is estimated to be saving tenants nearly \$46 million in not allowing some of the rent increases that the old Bill 51 allowed to go through. That is a significant amount of protection and that is a significant amount of relief that this piece of legislation provides for tenants in this province.

With specific respect to the retroactivity in the bill as described by the critic for the official opposition, she knows as well as I do that the selection of any date creates difficulties for certain people. If a date had been later in the calendar year, for example the date that she chose, then there would be tens of thousands of additional tenants who would have been unprotected and would have had substantial rent increases under the Liberal rent regulation act,

which did not offer any real protection for tenants at all. That would have been, in my view, quite irresponsible.

As it is now, 130,000 units go through the system. Potentially, over another 100,000 would have gone through depending on the date that would have been chosen, the date that she chose, 28 November. It would, of course, have meant that three months later the bill would have taken effect and it would have virtually had no impact at all on protecting tenants, which is just simply unacceptable for a party and for a government that was elected with a great deal of support from tenants because they were frustrated, angered and unprotected by the old rent control legislation that the Liberal Party had brought in after the 1985 election.

I would just finish by saying one thing. We have stated very clearly where we stand and that is what I think people want to know: where politicians stand and where political parties stand. That is as important to the confidence that people in this province will have in the political system as anything the member for Eglinton raised a few moments ago.

It is very interesting and very revealing that the Liberal Party, on this piece of legislation, Bill 4, voted in favour of the bill on second reading, spoke in favour and against the bill on second reading, then railed against the bill for a few months and continued to tell some people that they voted in favour of it and other people that they have difficulty with it.

The mixed message that the Liberal Party is sending, for political reasons obviously, is unfortunate but I can tell the Housing critic for the Liberal Party that no one is fooled by this. They understand that what the Liberal Party is really saying is that another 100,000 or more units should go through the old rent review system and that the Liberal Party is not interested in real rent protection for tenants. They understand that very clearly.

We are trying to develop a permanent system, which I believe will offer permanent, real protection for tenants in this province but will also deal with some of the concerns that have been raised by the landlord community. The capital issue is one that I believe must be dealt with in the permanent system. But on a temporary basis, I think Bill 4 is appropriate, it offers real protection, and we will not accept this amendment because we stand by our commitment to offer that real protection to tenants.

1600

**Ms Poole:** I have a lot of difficulty with a number of the statements made by the minister. First of all, he does not seem to know where the Liberal Party stands. He is implying that he does not know and he of all people, if he bothered to listen, would know exactly where we stand.

He is saying that we are giving out mixed messages. There are no mixed messages. The Liberal Party has been consistent since the first day this was introduced. We have said that we agree with the principle of tenant protection and we are willing to give him a moratorium period in which to look for his long-term solutions. That is the principle.

**Hon Mr Cooke:** Except you want to water it down and kill it.



**Ms Poole:** No, it is not a matter of watering it down, but of making it fair. At the same time we said that we supported the principle which the minister stated, the principle where he said—and these are the minister's own words—that this was going to put a stop to luxury renovations, this was going to put a stop to outrageous rent increases. We agreed with him. We do not have a problem with that. Where we had a problem was in the execution of this bill. We felt that it could be made fair, after public hearings, after committee, with amendments, it was a piece of legislation that we could stand up and vote for on third reading. But the minister is making that absolutely impossible.

From day one he has been unwilling to look at our amendments. He has been unwilling to change his mind despite public statements that he has made that he thinks the abuse is by a few landlords. He still wants to make his political statement, and that is exactly what this is. This is a political statement so the minister can stand up and say, "Look, we're the ones protecting tenants." I can tell the minister that he is going on a few wrong assumptions. The first is he says that we as the Liberal Party want to leave 130,000 tenants unprotected. That is his definition, that they are not protected. I think many of those tenants would disagree with him and the statistics disagree with what he is saying; 5.8% is the average rent increase across the province.

**Hon Mr Cooke:** So now Bill 51 was okay.

**Ms Poole:** I am not saying that Bill 51 was perfect and I would never say it was perfect. I do not believe there are very many pieces of legislation passed either by this House or any other which are perfect, quite frankly. I hope the minister will be open-minded enough to have the same attitude, because how can we ever strive to improve if he automatically thinks, "If our government put its stamp of approval on it, then we can never say anything against it"? I do not believe in that and I do not believe the minister should believe in that, and have this single, narrow-minded approach where if the Liberals introduced it, it had to be bad, all of it, with nothing good. I do not believe that, just as I do not believe that when the government introduces something, it has to be all bad.

I can see some very strong redeeming features in Bill 4, but unfortunately the minister is ruining it. He is ruining it with the retroactivity. He is ruining it by refusing to make any provision for capital and for adding to the deterioration of our housing stock. He is ruining it by the fact that he makes no provision for maintenance—which he as opposition critic stood up time after time and railed against—saying, "This is only temporary." I will tell the minister, this may be temporary but it still has to be fair, it still has to bring stability to the industry, and that is what it has not done.

So when the minister throws out his accusations of not protecting tenants, he should at least try to be fairminded. There are many protections that have been brought under the previous Liberal administration, but I have not wasted the minister's time or any of the members' time going into those time after time again, because I do not feel my job here is to defend our past performance as Liberals or as a

government. If the minister wants the co-operation of the opposition parties, he is going to have to show some flexibility, he is going to have to show that he is listening to people, not going into committee with the idea that, "Bill 4 is perfect, Bill 4 can't be changed and we don't care"—

**Hon Mr Cooke:** How many of your amendments did we accept?

**Ms Poole:** The minister brings up the Liberal amendments that he accepted. This is the sum total of my success. I do not know whether to gloat or cry about them, quite frankly.

**Hon Mr Cooke:** Do both. You support the bill; you oppose it.

**Ms Poole:** Okay, I will try to do both. They are hard at the same time. The one amendment which the minister refers to was that a landlord cannot put through increases to municipal taxes if the municipality had gone in under a work order that had not been satisfied, done the work itself and then put an extra levy on the taxes. That was the one major amendment we got. I think it was a good amendment but, quite frankly, I do not think I could say it was the keystone of what was wrong with the bill.

The second amendment was addressed by the Conservative critic this morning, a compromise amendment on the conditional orders, which was capped. While I am pleased that we did get the amendment—I think it brought more fairness to the bill—again it did not go to the keystone of what we as a Liberal caucus have said is wrong with this bill.

While I thank the minister for pointing out the successes that we have had in committee, he will see there are still quite a few amendments that we are going through again in committee of the whole House because they were unsuccessful. I do hope the minister will reconsider his position and take a look at our amendments. It is never too late to change.

**Hon Mr Cooke:** Let me just put some statistics before the member. She will realize—and I did not use the numbers with her moments ago but I will now—if the moratorium were to apply only to applications made after 28 November 1990, which is her amendment, it would have very little effect. For example, currently there are only 240 applications for whole-building review, affecting 8,673 units, that have been filed after 28 November 1990.

As well, by tying the provision of Bill 4 to applications filed after 28 November 1990, the earliest rent increase that would be affected by Bill 4 would be 1 March 1991, which means the rent increases under the old rules would continue until 28 February 1992, and phase-ins beyond that date. This amendment is not simply an amendment designed to make Bill 4 fairer, as the member would describe it; it is an amendment designed to destroy Bill 4 and kill the protection that is offered for tenants. The member should be honest about it.

**Ms Poole:** I just want to comment. I know the member for Ottawa-Rideau wants to make some comments about the retroactivity, but I have never seen such a silly manipulation of statistics in my life. Of course, there have been only a couple of hundred applications since 28 November. Why



would a landlord apply when the minister has brought in legislation? They would have applied, but his legislation has stopped them from applying. That is what the moratorium is. Why would a landlord bother to apply when the minister has got legislation on the books saying, "Don't bother applying because we're not going to look at it"?

If the minister is telling me that between 28 November and today, which is some four months, had the system continued in place, there would have been only 200 applications, I am sorry, I just do not buy that. The minister's moratorium would have still had the same force and effect after 28 November 18. It would do what he wanted to do, which is put a stop to the system after 28 November while he takes a look at his long-term legislation. So he should not manipulate the figures and he should not be silly about it.

**Mr Tilson:** I have put the committee on notice that our party will have an amendment to this section which deals with the date of royal assent as being the appropriate date that we feel the legislation should take place. Hopefully, it will not take place. However, this amendment was supported by our party at committee and we intend to support it now.

Basically, this amendment deals with where a landlord and a tenant in a particular unit agree, and that seems fair to me. It seems fair, I think, to all of us that when two parties agree to a specific position, why should the government come along and say: "Forget it. Scrap it"? There are situations that have been presented to us at the hearings where a landlord and a tenant agreed with respect to a specific increase and there was no difficulty with that. This government comes along and says, "Notwithstanding that, that's void." In that respect, our party supports the Liberal proposal.

1610

As well, dealing with clause 100b(2)(b), obviously if a landlord has paid for the work or owes money where the work has been done, why should he not be allowed under the current rules to receive that compensation? It is most unfair changing the rules in midstream. Based on those principles, we support the amendment. The government has obviously put us on notice that it will be voting against it. They voted against it at the committee, and by the heckles, I assume they are going to vote against it now.

This issue of retroactivity was probably—from my assessment, at least, from the hearings, the going around the province and here—the most major of all the concerns that the people of this province had. It is not fair. It is simply not fair to change the rules in midstream. It has a completely detrimental effect on the economy of this province, on the trust of this province. It costs jobs. I cannot believe that this government, which heard the representations made by different people from all walks of life, from all occupations, opposing this principle, has not listened to it.

I think that this does not cover all of the issues, but it is a fair amendment. I cannot understand why the government will not support it, because that is the issue: Is this legislation fair? The members opposite should ask themselves this question: Is it fair? Is this principle fair? We had

landlords coming to this hearing, breaking down because of their faith in the province of Ontario, because they are going to go bankrupt, they are going to lose their life savings.

**An hon member:** Tough break.

**Mr Tilson:** That is right. The government simply says, "Tough." Do the members opposite have no compassion for these people, people who believe in this province and in this country? The government changed the rules. It had no right to do that and I think it is going to find that, because it is going to be challenged in the courts.

There was one delegation, the Eastern Ontario Landlord Organization, which drew to our committee's attention several principles as to the side-effects of retroactivity, and I would like to emphasize some of those points because I think they are good points that hopefully the government members will reconsider in supporting this amendment.

The first one was that a long-term side-effect of retroactivity is the confidence of the potential builders and lenders in the rental housing industry. We had delegation after delegation come to us and say: "We're not going to trust the province of Ontario. They changed the rules. Why should we invest in the housing industry?"

**Hon Mr Cooke:** They said the same thing about you. They did, so be fair about it.

**Mr Tilson:** Well, I am listening. Members opposite went around this province and listened to these people come, people from inside this province and outside this province, and they simply said, "We're not going to invest, we're not going to build in this province, because of this regressive legislation that this government is putting forward." They have made it quite clear that they have lost faith in the province of Ontario. They are saying: "No way, forget it, because this government is going to make housing a public utility. Private enterprise is out. We don't believe in private enterprise in the housing industry. We're not going to encourage people to invest or build in this province. We're going to do it. The taxpayer of this province is going to build the housing of this province."

The second side-effect that was put forward by the Eastern Ontario Landlord Organization was that potential builders and landlords will demand higher returns to risk their money on any investment in rental housing, and this means higher building costs and higher borrowing costs. I think this is a generous concession by this association. I doubt very much whether there will be any building of apartment units as a result of this legislation, because of the lack of faith in the housing policies of this government.

This is certainly one of the cornerstones of our economy, where we are going to live with our families. Our quality of life is certainly going to deteriorate. We have had witness after witness state that to us. Clearly, it will result in higher building costs. It will result in higher borrowing costs—testimony has been given to that effect—because if there are any loans given at all, the risk is higher, so naturally the costs go up; the stakes go up. This government has not considered that. I think this amend-



ment will address some of that faith. It will not resolve all of it, but it will restore some faith to the province of Ontario.

The third side-effect that was put forward by this organization was that since rental housing cannot generate higher returns, this means less private building will take place, and that is the sum of it. What is this province doing to encourage private enterprise to build apartment buildings or housing units of any sort in the province of Ontario? The answer is nothing.

They have indicated what they are going to do. They are going to have government housing. They are going to have the taxpayers pay for the housing in this province. For the life of me, when we are in one of the worst recessions that we have seen and when we have seen the spending of this government keep climbing and climbing, now it is going to get into housing. It cannot handle anything else, but it certainly cannot handle housing. I do not know where the government expects it is going to get the money to fund this housing.

There were numerous depositions that were given to us in opposition to this one issue—there was a whole slew of issues, but this one issue—which was retroactivity.

Another one was made to us by the president of Havenbrook Realty Co in North York. They talked about how there was a violation of trust. I think that is something for all individuals who had anything to do with housing, whether it is tenants, whether it is small landlords, whether it is large landlords, or whether it is the investors, whether it is the people who work for the landlords, the jobs that are generated as a result in the housing industry: There has been a violation of trust. Allan Shiff of this corporation made several comments which I would like to put into the record dealing with the violation of trust. He stated at the committee:

“There is a basic principle in contract law which holds that once two parties have made a commitment to each other, each shall be legally bound by that commitment until the termination of the contract or until both parties agree mutually to dissolution. It does not seem unreasonable to expect a standard of conduct from the Legislature of Ontario which is at least equal to the ethical principles established in the laws that govern us all.

“The provisions of Bill 4, introduced by Housing Minister Cooke in November 1990, include a refusal to allow increases to cover the cost of repairs and maintenance, retroactive to 1 October 1990. The 1986 rent review legislation insisted that landlords could not apply for consideration of capital repair costs until after those repairs had been completed. In addition, decisions were not rendered for six to 12 months thereafter.”

This sounds like a legal opinion, and it certainly is in legal jargon. When you make a contract, whether it be with a government or whether it be with an individual, you expect that contract to be honoured, and this government has not honoured the contract that was put forward by the existing housing legislation.

Mr Shiff went on to state:

“You have already observed the anguish and despair of small landlords who have testified before your committee, men and women who have spent their working lifetimes

building an equity in a duplex or a triplex, only to discover that this retroactive legislation may mean the loss of all their security. These are people who trusted the government to abide by its commitment, people who have discovered that the government changed the rules after the game had started.”

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That is the simple gist of the problem of this legislation. They have changed the rules after the game had started.

He went on to say:

“Major owners will sustain from small to severe losses this proposed legislation will create through their corporate entities. It is also vital to remember that more than half of all the rental units in Ontario are owned by small landlords, with fully one third of the units in single-unit structures or duplexes.”

I find it a terrible thing for the Housing minister to say that all landlords are bad. There are some bad landlords. There are some bad tenants, and again, I think it is a question of fairness. It is a question of looking at the economy of this province, and that is exactly what our party is doing. We want the economy of this province to be strong, we want the faith in this province to be maintained, both from within and without, and this government has violated the trust that people from within the province and outside the province have.

He says:

“I would submit that the retroactivity proposed by Bill 4 violates all standards of fairness and would stand as a permanent stain upon the record of a government committed to protecting the rights and interests of all Ontarians.”

That is what this party, the NDP, has indicated it does. Clearly it is like all the other pieces of legislation that it has been putting forward. It has flip-flopped, and all of a sudden it is not fair; it is not protecting all of the rights and interests of all Ontarians.

He says:

“It should not be necessary to point out that instituting retroactive and punitive penalties for any isolated group of individuals is a swift road to the destruction of business confidence in all sectors of this government. I cannot express strongly enough the personal and financial distress that the present situation has created. It is both inhumane and exceedingly poor management to demand that all parties to this proposed legislation wait for up to one or two years while the minister deliberates.”

We still have not seen the final legislation. This government was quite clear as to where it was going in the last election. Six months have gone by and all we have is, “We want time to consult.” It seemed to know what it was going to do last August, and what it now wants is more time.

“A pro tempore committee must be created to render decisions on cases where the landlord acted in good faith under the former legislation.”

That is what the president of Havenbrook Realty Co said, and I think it does sum up a lot of the representations that were made to our committee.

A further comment that was made with respect to retroactivity was made by the Ontario Home Builders' Association.



It talked about retroactivity as being the ultimate policy error, and I think that was, as I indicated, the major concern of the delegations that appeared before us.

They were concerned with other issues. They were concerned with the fact that this government does not deal with, how are capital expenditures going to be made?

They were also concerned with the fact that one third of the tenants of this province cannot afford any increases. This government that claims it is in favour of supporting all tenants is not doing anything to those people, is not doing anything to the one third of the tenants of this province who say, "We can't afford any of the increases that you are proposing." The government has not offered any solutions as to what it is going to do with those people.

They are letting those people live in more deteriorating conditions, having to move elsewhere because they cannot afford where they are living: seniors who are on fixed income; students, many of whom have worked hard over the summer to pay the high tuition rates that this government is now embarking on and cannot afford to receive their education, and now we are getting into the fact that they cannot afford to live because of the rent increases that are being put on by this government.

This government is saying that in the first year it is going to be 4.6%; in the second year it is going to be 5.4%. One third of the tenants of this province cannot afford those increases. What is it going to do about those people? I have not heard any proposals whatsoever. I have not heard any proposals as to what it is going to do in this moratorium period. Its answer is, "Tough; just carry on."

The Ontario Home Builders' Association stated:

"The transitional rules of Bill 4 are perhaps the most regressive aspect of the legislation. By prohibiting applications, orders and phase-ins which have an effect date of 1 October 1990, the government will wipe out the investments made by hundreds of landlords who applied for and received rent increases to cover legitimate capital improvements."

That does not account for the people who have spent money. The money has been spent. They have gone to the bank, they have put mortgages on their homes, they have put mortgages on their buildings, and now this government says, "Tough." They do not know where they are going to get the money. They come to my office. I am sure they come to the minister's office. I am sure they come to the Liberal critic's office, saying, "We have no idea where we're going to get this money."

The standing committee has heard of numerous examples of just how far back in time the retroactive aspect of the legislation will apply. Many landlords have, in good conscience, made commitments in anticipation of recouping their investments. Bill 4 unfairly punishes them for their forward planning, especially small landlords, whose rental investments take up a larger share of their equity.

On 8 February 1991, in the *Financial Post*, the Minister of Housing indicated that Bill 4 was introduced to stop the system in its tracks by placing a moratorium on high rent increases. The only thing that has been stopped in its tracks by Bill 4 is this government's purported commitment to fair and honest policymaking, and that is it. Where

did all the fair and honest policymaking that they promised in the last election go? Where did it go? It certainly is not in Bill 4. It certainly is not in their housing policy. It has disappeared.

Again, some people are more equal than other people. They have allowed rent increases. I would say Mr Thom, who introduced a report that took several volumes which this government has never considered, certainly in Bill 4, estimated, I believe, and I cannot remember specifically, but I think it was 10% of the tenants in this province are well off. They are driving cars that are better than most of the cars that we have and they are living in expensive housing accommodation and they are just laughing at the government. They do not care. Their increases are nominal. They can well afford the increases. So again, some people are more equal than other people as far as this government is concerned.

The Ontario Home Builders' Association continues by saying:

"The high rent increases which the government keeps referring to are few in number. Their own statistics bear that out. Yet we still hear about the prevalence of triple-digit rent increases and the economic eviction of people by the thousands. As the Fair Rental Policy Organization pointed out in its submission to the committee, less than 1% of Ontario's rental units received increases of 30% or more. Only seven one hundredth of 1% fall into the 100%-and-over category for increases.

"It would seem appropriate, therefore, for the government to act responsibly by credibly and statistically illustrating the magnitude of the problem it perceives, rather than simply parading out the individual situations which we all agree should be dealt with in a just manner."

What about the tenants who can afford the increases? What about the tenants who cannot afford the increases? There is no question that this government does not care. They are just willy-nilly putting forward all increases.

"It is not only landlords who have been hurt by the retroactive application of the bill. The renovation industry and the material supply companies which rely upon it have been damaged as well."

We have heard delegation after delegation come to us and say that work that had been planned for the buildings has been cancelled as a result of this retroactive legislation. Thousands of people have lost their jobs as a result of this legislation. They are out of work. The supply companies: Contracts that had been anticipated to be received for supplies and badly needed materials to renovate the buildings to keep them up have been cancelled. Those companies have been hard hit by the recession badly enough, and this legislation has made it even worse.

He goes on to say: "This is especially important because of the depressed state of our economy. Renovation work is extremely labour-intensive and accounts for almost as much activity as does new home construction. Bill 4 ensured yet one more reason for an employer to make cutbacks."

That is exactly what has happened. Fact after fact has been presented to this committee and has been ignored by this government. What are they going to do about all the



lost jobs and all the lost contracts that were caused by this government?

"The day after the legislation was announced, landlords who had committed to work or were already under way with repairs saw the possibility of not being able to finance their capital investments. Their reaction was not unreasonable and swift. They cancelled renovation projects and threw out of work hundreds of workers."

That is a question that this government has not addressed. They have not commented, and I invite the minister to respond as to what he proposes to do with the hundreds and thousands of people who have lost their jobs as a result of this very, very regressive legislation.

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The Ontario Home Builders' Association continues by saying:

"Our association cannot understand why this government, with its first major policy move on housing, encouraged a decrease in employment in the construction industry. If the province, with its permanent version of a new rent control law, fails to take into account legitimate capital improvements, more job losses will be felt in the future."

We are feeling them already. Work that normally is to go on scheduled plans—because there are good landlords. There are landlords who have set forward plans as to how to improve their buildings. Roofs that need to be done are not going to be done; they are not going to be repaired. Underground garages that badly need repairs are not going to be repaired because of this legislation. Brick work that needs to be done is not going to be done. The tenants' quality of life will severely fall as a result of this very, very regressive legislation, and it is already being felt.

"The other major group to be hurt by this legislation will be the very people the government believes it is helping, namely, the tenants themselves. Bill 4 will accelerate the eventual decay and deterioration of Ontario's rental housing stock. It will do this by making it economically impossible for landlords to pay for the costs of repairing heating systems, balconies, plumbing systems and leaking roofs."

Some 75% to 80% of the buildings of this province are over 20 years old and they have decaying plumbing systems and decaying electrical systems. They need to be repaired. You cannot foresee that. It has to be done. How is it going to be done, this retroactive legislation where people have planned for that and in many, many cases have already done it, spent money on it and the work has been done? This government says: "Tough. You're out of luck."

The Ontario Home Builders' Association continues to state:

"While landlords will suffer, tenants who have put up with the resultant problems will be hurt as well. This does not bode well for our housing stock. The Ministry of Housing estimates that the current stock needs \$10 billion in repairs in order to bring it up to existing standards. Unfortunately Bill 4 will make the likelihood of those repairs more uncertain.

"It was interesting to note that the Minister of Housing recently made a commitment of \$15 million to the repair

of rental buildings. This amount could be eaten up by the repair costs for three or four parking garages which have succumbed to salt corrosion. Is the government prepared to hand over subsequent amounts as more problems are identified? As indicated earlier, the taxpayers of Ontario cannot afford this type of policy direction.

"So the precedent which the province has set by stopping all orders as of 1 October 1990 is a harmful one indeed. There is little justification for changing the rules of the game after the game has started. There is absolutely no legitimate reason for doing it based on misleading information and political rhetoric."

That, of course, is exactly what this government is doing, suggesting that this bill was implemented because of the marble foyers and the high number of escalating rent increases. As the Ontario Home Builders' Association has indicated, that simply is not the fact.

This legislation is affecting all walks of life. It is affecting the small landlord, and we had small landlord after small landlord, individuals who are renting out one or two units. It is affecting those people as well. I just took one deposition at random and I would like to comment on that one. This is from Lampeter Investments Ltd from Toronto, the property manager, who is Israel Janowski. Mr Janowski in a very brief deposition commented with respect to the retroactive issue of this legislation:

"The following is our submission concerning Bill 4. The proposed retroactive freeze will have a devastating impact on our company. We have undertaken major capital improvements costing over \$1 million. This work includes replacement of the roof and plumbing risers and major garage repairs. Independent consultants attested to the fact that ongoing repairs have been performed extensively. The consultants determined that complete replacement and major repair would now be necessary. Spot repairs would no longer be effective or feasible. In good faith, we performed the work based on existing legislation."

This is one of the companies that did the work based on the existing legislation and it did that with every expectation of recouping these very legitimate extraordinary expenses. That was under the existing legislation.

"The unfair retroactive freeze has put an end to that. We were unable to rent two huge four-bedroom penthouse apartments for about three years and decided to renovate them and create four smaller three-bedroom apartments. The proposed rents, tentatively approved by the rental housing protection office in city hall, would be affordable and the project would add additional rental housing stock. Our research indicated these apartments would be very desirable. With green lights from all necessary agencies we invested well over \$10,000 in planning, engineering, architects, etc. The proposed new legislation has now killed the project because, due to the freeze, we would now not be able to bring the new rents in line with our construction costs. We have lost \$10,000 spent in good faith and the community has lost additional housing stock."

Here are some people who are prepared to provide more housing stock, yet this government is not only not encouraging new housing stock to be built, it is discouraging people from building new housing stock.



"We have received approval from the city of Scarborough and the city of North York to build 44 rental town houses at two sites. These projects are to be models for future infill proposals which could potentially add significant numbers of affordable housing units throughout the province. An additional 13 units are being proposed for a city of Toronto site. Six years of planning and many thousands of dollars have gone into these projects thus far. We are now being counselled by our legal advisers not to proceed with these town houses due to the unpredictability of new and possibly harmful retroactive legislation."

Here are some people who have planned. This government says: "Well, you should have planned for it. You should have set aside and made plans for how you are going to maintain your buildings, how you are going to improve the number of housing units." These people did exactly what this government has asked them to do, and now they cannot do it because this government has changed the rules in midstream.

Mr Janowski says:

"We are not a large company. We have, however, the opportunity to add to the depleted rental housing stock in a way that would benefit the community. It is most unfortunate that the very negative climate brought on by the proposed legislation will definitely cause us to cease our own modest activity in this area."

That was an example of individuals who had planned ahead, who are not the large, greedy landlords that are referred to by the government, and who are playing the game in good faith and simply now they cannot proceed with their renovations and they cannot proceed with the construction of new units, all because of the retroactivity of this legislation. Almost every person who came to us talked about the retroactive aspect of this legislation and how it is having a disastrous effect on the economy of this province.

There was a comment with respect to the retroactive aspect by a Lawrence Cyna. He made a representation to us in February and he talked about the unconscionable attitude of retroactivity penalizing people who obey the law. I think that is what the retroactive aspect is all about, people who have obeyed the law. This government is not obeying the law and I think it is going to find out that it has broken the law, because there will certainly be litigation instituted against the province of Ontario, at great cost to the taxpayer of this province. It is going to create more uncertainty than the uncertainty government has already caused the people of this province.

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Mr Cyna states:

"Although I have limited resources that are being totally consumed by the daily losses in this property, I was forced shortly after buying this building"—this is a building that is in North York. He says he "was forced shortly after buying this building, to face a new law that required me to spend thousands of dollars in making detailed and lengthy applications for rent increases to mitigate some of these losses. I would remind you that every penny received in rent, together with my own funds, was put solely into making a decent basic building liveable. There have been

no frills added to the building, and no money spent on upgrades simply to be able to apply for this highly publicized 'capital expenditure solely for the purpose of raising rent.'"

Again, here is a landlord who was proceeding in good faith to improve the quality of life of his tenants.

He states:

"These applications were terribly unfair to me and to other landlords as they were heavily weighted against landlords. They allowed no increases until the matter was heard, which in my case took almost two years. During this time the tenants were not obligated to pay the expected increases, and most tenants are now aware that the high cost of trying to collect these retroactive increases so long after the fact, and the high cost of trying to enforce these orders, makes collection of these retroactive increases almost impossible. I actually collected an insignificant amount of these moneys. Is it fair for the government to acknowledge that these moneys are rightfully due, but make their collection so difficult that the situation is actually a legalized confiscation of my own money in favour of the tenants?"

"The current governmental proposal is unheard of in a democratic society. To actually force me to lose such a large sum of money as to threaten my personal viability by preventing me from collecting moneys that legally belong to me, to force me to spend large amounts of additional money (and tremendous time and effort), to follow government bureaucracy in order to establish plain facts that it would only take an observer an hour or two to understand once he saw the situation, and then years later when the validity of my situation was agreed to by all, to bring out a retroactive law to prevent me from instituting those increases on a phase-in basis (exactly in accordance with governmental policy)"—and that is what he did; he followed the government policy, the law that exists in this province today—"amounts to a retroactive enormous penalty. It amounts to being penalized for following the law." That is what this legislation does. It penalizes people who have followed the law, the landlords who have followed the law of this province.

He goes on to state:

"While I realize that a different political party now controls the government, basic democratic principles surely must be followed, and people cannot be penalized for being lawful." Why are the people of this province being penalized for being lawful? "Regardless of anyone's political views, surely I as a citizen have basic rights established over many centuries. This horrible proposal is truly unconscionable."

I would like to comment on one further item which was put forward to us in February, again with respect to the retroactive legislation. It talks about the retroactive nature of the legislation and what a detrimental affect it had on the Schickedanz Bros Ltd.

This is a letter from a Gary K. F. Pepper supporting this corporation. It is a letter to the Minister of Housing, and it states:

"I am told that your ministry has stated that they would not allow rental applications to go forward after 1 October 1990. I am given to understand that Schickedanz Bros has



followed all the requirements of the former government's legislation, regulations and all the procedures of the Residential Rent Regulation Act and proceeded to improve his apartment buildings based on these. Under those guidelines he was rightfully anticipating that he would be awarded a rental increase to offset the capital expenditures that he incurred. Most of the expenditures have been made and the buildings are much better for it." This falls exactly into the member for Eglinton's amendment. That is exactly the type of situation that her amendment is trying to cover. "He would not, and neither would you, spend 'one cent' on capital improvements if there was not some understanding that moneys could be reimbursed somehow."

And again, moneys that have been spent—moneys are owed and the work has been done—is what this amendment applies to.

"If the above apparent retroactivity is true then I would say it is unequivocally wrong, dead wrong. All you had to do, and what you still can do, is establish a policy that allows applications to be processed where it can be established that written contracts have been entered into by the landlord prior to a date of your picking." That is the first item of the amendment.

"I would like to repeat. Schickedanz is an honourable, fine and fair landlord. He should not be treated so dastardly, as apparently he has been, by your ministry and/or your government. Not only do I speak about Schickedanz Brothers but also for any other such landlord who has been so treated. I am totally disheartened and distressed by apparent retroactive actions on the part of your ministry. I will do everything in my power to get rid of totalitarianism if this is the case."

I would like all members to think about that, because that is something that they should consider after hearing delegation after delegation talk about the unbelievable effect that this retroactive legislation has had on the people of this province.

ManuLife Real Estate made a delegation to us on 8 February 1991 and also talked about the retroactive aspect of this legislation. They stated:

"By selecting the first effective date of an application as the cutoff point, there is automatically retroactivity. An application has to be filed at least 90 days before the first effective date specified in the application. This means that the bill is effectively retroactive to 2 July 1990, 90 days prior to 1 October 1990."

If you read the amendment carefully, it is not 1 October that this is retroactive to; it is 1 July 1990. It is even more dastardly when you start examining the overall effect of this provision.

"In order to make an application by 2 July 1990 for capital expenditures, the work being claimed would have to be substantially completed by that date." Again, a valid reason for the amendment that is being proposed. "These capital expenditures may have been started a year earlier in July 1989. Of course, the landlord would have made its decision to proceed with the work some time prior to July, to allow time for plans, tenders and financing arrangements. Retroactivity has thus been extended back to 1989." And there are examples of that.

"Bill 4 takes another step further back in time. It provides that the minister will ignore a conditional order...which has already been issued. Under the RRRA, a landlord could apply to the minister, indicating planned capital work. Tenants were given a chance to object, then the ministry order would tell the landlord what allowance would be given if the proposed work were actually done.

"A landlord may have obtained an advance ruling in 1988, to ensure the planned work was feasible, then carried out the improvements starting in 1989. If the landlord filed its follow-up application to obtain the proposed allowance in July 1990 it was too late.

"Further retroactivity occurs in the provision that the minister will treat all notices of phase-in with effective dates on or after 1 October 1990 as void. Notices of phase-in are issued in the years subsequent to an issued order if the amount of the rent increase allowed in the order exceeded the maximum 'cap' provided in the RRRA. This normally applies to financial or economic loss or rent equalization. Phase-ins are designed to protect tenants from a large increase in one year.

"By rendering these phase-ins void, landlords are denied the recovery of a rent increase allowed by an order issued, quite possibly, prior to 1988." So again, when you analyse this legislation, the retroactivity could go back as far as 1988.

#### 1650

"No one anticipated retroactive changes that would deny costs already incurred by landlords in accordance with the law or that would wipe out orders already issued. This retroactivity has been decried by all sectors, tenants as well as landlords, real estate investors, contractors, suppliers, tradespeople, labourers and the business community at large.

"Tenants can be protected from excessive rent increases pending new permanent rent review legislation without the damage that Bill 4 would cause if passed as proposed."

I would like to read one final item into the record as an illustration of the problems of this retroactive legislation. This is a remark that was made to us by Carmela Columba, who is from Weston. She describes the ownership of her building: "My husband is a tradesperson and my father is a retired construction worker. This building was purchased as an investment for retirement planning." That is another issue. People have purchased their buildings for retirement purposes. They do not all have fancy pension plans and other plans that many of the people in the government have.

"When this residential complex was purchased in 1986, my husband and father put in over 43% equity towards the acquisition cost of the residential complex. Although we had put this much money from our savings into the building, the monthly expenses exceed the revenue and we continue to put more money into the building each and every month.

"Both my father and my husband do work at the residential complex to cut down on costs. I do all the books and record-keeping. We all take a great deal of pride in running our building and sometimes it is not an easy job.



"We filed an application with the Minister of Housing to claim a portion of our financial loss and some, not all, of the capital expenditures we have put into the building since our acquisition. If this proposed legislation goes through, it will eliminate our ability to claim the rest of our financial loss and any possibility of return for moneys spent on capital expenditures, to say nothing of the hard, physical work that they have put into this building to try and save costs.

"Our building, therefore, will be running at a financial loss for ever. What can we do?" What can they do? What can they do if legislation such as this, although temporary legislation, is interim legislation, but it is having a devastating effect on these people and many people like them?

"We are not rich people. Our tenants' rents are very reasonable. The average rent for these two-bedroom apartments, as 1 February 1990, was only \$501.49.

"Please reconsider this terrible piece of legislation and provide us with the opportunity of at least breaking even on our investment. We cannot continue to subsidize people who in many cases have opportunities to make more money than our family."

That is what this government is asking the landlords of this province to do, to subsidize a very serious social problem. There is a social problem. I have indicated that 30% of the tenants of this province cannot afford any increases. Why is the government placing this burden, this heavy responsibility on the landlords of this province? They know the landlords do not have the financial resources to subsidize, and it is not the landlords' obligation.

"We are honest people who bought a building based on the laws at that time. Please don't change them now and take away the rights that we had. If this legislation goes through, then we probably cannot even sell our building as we are told that no one would want to buy any buildings if this legislation goes through. We are also told that your proposed legislation would drop the value of our property by almost 35%."

Clearly we had individual after individual who came to us and said, "Because of Bill 4 the value of our buildings will be depreciated." Who wants them? Why would you invest in buildings such as this where you are not even going to break even, you are going to lose? Why would you invest in those buildings?

She goes on to say: "Why would you do this at a time when we should be encouraging investment in Ontario? A recession is not a good time to discourage people from investing in our beautiful province."

Those are my comments at this time.

**The First Deputy Chair:** Any further questions or comments on Ms Poole's amendment?

**Mrs Y. O'Neill:** I rise today to talk about what became the real issue with Bill 4, and that was the retroactivity. It seemed to be the issue that united all because of its implications for fairness.

What I am sorry about in the introduction of this retroactivity, which I feel is a really unnecessary part of this bill, is that it has created an environment of confrontation. As we are going into a serious discussion paper that the

government has presented, it has created this environment which I do not think will bring forth fruitful discussion. It has threatened partnerships that have been built over many years between tenants and landlords, and I certainly do feel it could have been avoided rather easily.

As the member for Ottawa-Rideau, a riding located in Ottawa-Carleton, and as a member of the standing committee on general government, I have received a significant number of comments from the Ottawa-Carleton region regarding the impact of Bill 4 on the business community in this growing but sometimes, perhaps often, overlooked region of our province.

As our board of trade has quickly discovered, any landlord in our community of Ottawa-Carleton who has performed major repairs or renovations, has made application through the Residential Tenancy Commission and has legitimately obtained an order permitting rental increases which are to take effect after 1 October 1990, will now not be able to enforce such an order, even though he or she planned and acted under existing legislation and—this is the crux of this matter—acted in the best interests of the tenants, except and only if he or she is among the very few who had conditional orders right in hand on 28 November 1990. They are few and far between.

May I repeat that these landlords acted under existing legislation, in good faith. A landlord is now retroactively being told: "Too bad. We are not playing by the old rules. We are playing by the new rules." But these rules are retroactive. May I ask if this is fair. Is this to be expected from a government that is to serve the people, a government that is to be known as open and consultative? This government is penalizing these people who acted in good faith, real people, people who operated under existing legislation.

In addition to this, the most damaging part of the legislation is its retroactivity. I looked in the dictionary for the definition of "retroactivity," and I feel the definition is worth stating. It is "operating in a backward direction," and certainly Bill 4 operates in a backward direction. It gives more than negative messages to investors, both worldwide and Canadian, that there is little if any security in depending on existing legislation when making necessary financial predictions in the province of Ontario.

I would like to bring to this House three letters I received from investors in Europe.

The first investor is from Germany, "I am convinced that any retroactive legislation will have a serious, negative impact in the international business community and will lead to the reduction of foreign investment in Canada." This reaction was unsolicited. Another from Europe is dated 4 March: "These investments have been made in trust and reliance on existing and valid Ontario law. In all our worldwide dealings we have never encountered such a radical violation of the basic principles of law."

Third: "We have received financing from various banks on the basis of rent control decisions which now seem to be null and void causing the banks to withdraw their financing or ask for additional collateral. This in turn forces us to sell properties, taking losses and withdrawing from Ontario."



1700

I find this all extremely worrisome and, as I said to a group I was speaking to last Thursday in Ottawa, although I am a perennial optimist, at this moment, with these kinds of messages and these kinds of letters coming to my desk, I have a great deal of trouble being optimistic about the messages that are going from the present government regarding economic stability and the planning of this present government. I want to repeat that the landlords I am talking about acted under existing legislation. They acted in good faith and they are being told, "Too bad."

The Real Estate Board of Ottawa-Carleton pointed out to the committee, our committee on general government, that the retroactive element of Bill 4 is a great concern. These landlords applied for rent increases in good faith. They planned repairs and maintenance accordingly and have already carried out the necessary renovations and will consequently be unable to recover their investment under Bill 4. As a result, some of them may be forced into personal bankruptcy and they told us so, one after the other. Others will lose all or part of their current or retirement investment income, that which has been earned or planned over many years. There were certainly cases brought before us as actual properties, rental properties in Ottawa-Carleton that had depreciated in value since the introduction of this bill.

The real estate board with its facts and statistics that were relevant and up to date went on to comment:

"By not permitting any allowance for renovations already approved, the economic impacts are going to be far greater than anyone can possibly predict at this time. The cancellation of renovation contracts and resulting loss of construction jobs, as well as the reluctance of property owners to replace aging, and in some cases only marginally habitable, rental housing must cost the Ontario economy hundreds of millions of dollars."

Lending institutions, as others have said in this debate, are becoming reluctant to either lend or refinance mortgages on rental property. That is a serious matter. We have had witnesses bring to our attention that they have been told: "You are no longer an acceptable risk. Your cash flow is too uncertain. Your investment has depreciated." In addition the investors, the people whose letters I have read, will not build new rental units if they know if they begin that they may never hope to recover their cost in rental income. Certainly the building industry has brought this message through many members to this House and to this government.

Many people are already discouraged from investing in existing rental property in Ontario and they have brought that message over and over to each of us. I underline that Bill 4 discourages the building of rental accommodation by the private sector, investment being much simpler and more secure in areas other than housing, or locations other than Ontario. Thus Bill 4 in the end will not benefit tenants. Their choices will continue to be more limited and certainly the shortage of affordable accommodation will continue. Bill 4 should not apply to any approved application for rent increases no matter when the effective date of the order is. Furthermore, any application currently in the

system should be permitted to proceed. Simple fairness: This is what we are requesting, but Bill 4 continues to progress, with this government's approval, denying cost recovery for major repairs even though they were made or contracted before the bill was announced and even, in some cases, before 6 September 1990 when this government was elected.

The moratorium should apply only to new applications commenced after 28 November 1990—a very simple request, a request that is based on fairness. The date this legislation was tabled should be the date on which it becomes effective in all cases. Fairness is what I am speaking about, fairness to Ontario landlords—key partners in the housing stock of this province.

An employer told the committee: "In planning our business policies, we have always relied on stated government policies and legislation. I feel that retroactive legislation and governing by policy statements is not fair ball." This was stated to us by an employer who certainly is not finding that he can keep those that he had on his payroll in place with Bill 4 hanging over his head.

He went on to say: "Business cannot govern or plan their affairs without predictability and consistent governing. In other words, we require forewarning and some notice of major policy shifts that are going to impact on our ability to do business. Surprise retroactive announcements do not give us ample time to restructure our affairs so that we can turn and try to remain economically viable."

What we are saying about Bill 4 is, "No consultation and retroactivity." This is a bad message going to employers who could be the strong support to part of the recession problem that we have in this province. Business cannot turn around overnight. Contracts were cancelled. They were actually presented to us as rejected or no longer viable, and that certainly again puts me into a worrisome frame of mind.

As another side of that same coin, landlords have begun and, as I have just stated, are continuing to cancel contracts. I spoke to a plumber and an electrician on Monday of this week, both of whom told me that they have cut their staff by 80%; one from 17 to two, and the other one from 10 to one. That is a real loss of jobs, and they both pointed to what is happening in the rental community of Ottawa-Carleton. This is seriously affecting contractors and those in the building trades. Some of these people are small business people. Both of the gentlemen I had spoken to on Monday can only be considered small business people coming to me wondering how they are going to keep their wives and families fed and housed the way they had expected to be after many years of hard work.

The vice-president of Wind-O-Mart Ltd of Downsview employed a full- and part-time staff of 80, a case in point in this city. This gentleman believes that he is going to have to close his company as a direct result of the proposed legislation. The domino effect on his suppliers will result in loss of jobs. He came to our committee and told us this in person. He stated, indeed during the very week, the very first week last November when this announcement was made by the minister, that more than 50% of his work in progress representing \$2 million, was cancelled



and many contracts that were about to begin were put on hold, representing a potential loss of \$5 million.

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John Makuch, president of RAM Restoration, also voiced his concern to the committee. RAM Restoration is now entering the end of its fourth successful year. At one point, they had 35 people in their employ. On 13 September 1990, before the government even officially announced its plan in this area, the first cancelled contract came. Since then their workforce has consistently declined. They are now seven where once they were 35. Mr Makuch voiced his concerns most articulately when he said:

"There must be another way to protect tenants of this province, without sacrificing hundreds of businesses and thousands of jobs. Do they not understand that the safety of tenants is at stake? I know. I have seen structures in this city of Toronto that will not last two more years."

The ripple effect of this loss of jobs can only have a further negative effect on the economy of Toronto, Ottawa-Carleton, eastern Ontario, Windsor, another negative message sent right across this province in the winter and spring of 1990-91.

The committee also heard from employees whose livelihood has been placed in jeopardy by this bill. In a submission by restoration steeplejacks represented by the Ontario Plasterers and Cement Masons' International Association, Local 172, the committee was told that the restoration projects create work for the members of Local 172. Now many of these men are unemployed.

These men said to us: "Our brothers and sisters"—the members of Local 172—"have said, 'I would rather be out there working and pay an increase than sitting at home wondering where my next rent is going to come from.'" These are messages from real people in real situations who are affected by Bill 4.

They went on to tell us that: "Until recently, we were an expanding industry that had excellent growth potential even in these recessionary times, our market being the restoration of buildings that were built more than 10 years ago."

The real danger is not that companies cannot survive operating in this reduced capacity, for they can, with some difficulty; the real danger is that the companies are losing their highly skilled and highly valued tradesmen to other areas of this country. The companies have spent a great deal of time and money training these tradesmen to do this very specialized form of work. Not to make a distinction in any way in this bill between renovation and justified restoration has placed the structural integrity of buildings at risk, and thus the safety of tenants and the general public at risk, we were told.

Those are my remarks for this afternoon. As I said earlier, I am most depressed—the only word I can think of—that we are starting what could be a very useful set of consultation between tenants and landlords in this province in an environment of distrust, in an environment of pessimism and in an environment that is less than positive or focused in direction.

Bill 4 has affected all levels of our province, whether that be the investors, whether that be the employers, whether that be the employees, whether that be the landlords and, as I have said, tenants. Tenants in particular may not receive from this bill what they expect, and some of them, I think, realize that. Some of them realize that the stock of housing is already beginning to decrease, and renovations, and certainly things that depend even on safety in some cases, are going to be put off and in some ways not ever achieved.

I regret that I have had to make these remarks. I regret that we could not get the retroactivity of this bill off the table. I really do feel that this is the crux of the matter of Bill 4 and the negative, negative impressions and atmosphere that it has spread in its wake.

**Mr Carr:** I just want to say a couple of things on this particular amendment. Having spent some time speaking to various groups on this issue, I want to bring forward some of the thoughts and some of the concerns that have been shared by some of the people to whom I have been speaking.

I got a letter from one of my constituents who actually also happens to work in another area, so the letter was addressed to the Solicitor General. It was very interesting to read it and to hear some of the tragic situations that are out there as a result of the retroactive provisions of this bill. It is from Joseph Zicari. He states:

"Here is the main problem that I am having with this proposed legislation. Having conformed to the provincial laws and rules that were in effect at the time, we significantly renovated two apartment buildings, ie, new roof, floors, plumbing, etc. These badly needed repairs, completed by early 1990, were financed with a bank loan, given to us on the basis of the increased rent.

"When the honourable minister, David Cooke, announced a moratorium on rent increases, this left our family devastated. We feel it is unfair that the new government should backdate the new rules to 1 October 1990. Rent increase applications can only be submitted after repairs are completed, and then 90 days' notification is required. As a result of this proposal, landlords who borrowed to make repairs that were completed months ago will no longer be getting increases allowed to them under the rules in effect. How can anyone plan for the future if the government can backdate legislation? To be fair, this legislation should have a grandfather clause so that landlords in our situation will not be financially ruined even though they followed the rules.

"My father, who owns this building"—and I had an opportunity to meet his father actually—"turned 60 years of age.... He mortgaged his home to complete these repairs and was to retire in 1991. He now cannot afford to retire as this building does not generate enough income to pay the bills and retire the loan. Is this fair?

"When Mr Rae won the election, he promised to be a Premier who would look after the interests of all the people of Ontario and not just the traditional NDP supporters. If he and the party are so sincere, they will make the changes to this legislation quickly, so that the small landlords such as ourselves are not ruined."



I got another letter from another constituent in my riding. This is from a Mrs Rockcliffe. She states:

"I bought a building a year and a half ago with the intentions that when something needed to be replaced in the building I could do the replacement and apply through the rent review system and over a period of time I could recapture my costs back. Now I have a building that needs a lot of replacements and away below the market in rental income.

"During the bad wind and rainstorm the other night, water was leaking in the halls and apartments on the top floor. This building needs a new roof. It's 25 years old—where is the money going to come from? I am operating at a loss presently.

"The building is partly copper and galvanized plumbing. Therefore the tenants have very little water pressure to bathe or shower in. Pipes need to be replaced—where is the money going to come from?

"The tenants are complaining that the air is coming in all around their windows making their apartments very draughty—all windows need to be replaced or storm windows installed again—again where is the money to do this?

"The heating system is no longer efficient and gas costs for the building are way too high due to this. The maintenance is also high just to keep them going—the system needs to be replaced. I hope it gets through the winter. I do not have the money to replace it.

"The underground is leaking all over the place and must be restored. Where will this money come from? Please ask the NDP how I am going to keep the tenants dry, warm and with water; 5.4% does not even cover operating increases.

"When I bought this building the previous owner was granted a 5% phase-in for the years 1988, 1989, 1990 and 1991. This was calculated as part of the purchase price. Now the NDP are taking away that money that was granted to the building in 1988. My mortgages and bank loans were all based on that order."

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She goes on to explain a little bit about the actual financing costs, which get a little bit technical.

"We thought with the phased-in order we bought and doing the replacements through the rent review system this could prove to be another good building. If the NDP are not stopped now, this could become a financial disaster and a slum building.

"The NDP have also told our town bylaw enforcement department that minimum standards are being brought in and must be enforced. Owners will not and cannot do this work without a proper recaptured cost system.

"Mr Rae stated the other day, 'Why was this work not being done as the buildings aged?' I can assure Mr Rae it would have been done if we did not have a rent controlled business for the last 15 years. Owners patched due to the controls and the patches are no longer holding."

I also had an opportunity to go out to the meeting with some of the landlords and tenants held in the Mississauga area that was chaired by the member for Wentworth North

that night. We heard some very moving testimony from some of the people.

A Robert Low talked about some of the increases in public housing going up in excess of 10%. I think his comment was very interesting. He said, "If this government is going to look at this situation through rose-coloured glasses, why don't they put the glasses on when they look at the public housing increases as well?"

Then there was another chap, Joseph Cohen, who said that he will lose the building because of Bill 4 and he feels like he is being "stabbed in the back."

Mr and Mrs James Brightfoot were there. They said as a result of this they have had to let their superintendent go. As a matter of fact, that night he said he had to go and unplug the toilet himself because of the fact that there was no one there to do the repairs. He is operating at a loss, and he said, "Why has this government declared war against landlords?" He said he will be in the position of losing everything.

Jack Holyoke, who has been a landlord since 1973, said the same thing. He said that there are some bad landlords out there but he did not classify himself one of them, and why did he have to get hurt as a result of that.

Stanley and Carl Faye were there, and I cannot remember whether it was Carl or Stanley who was speaking, but they were saying that they are already \$62,000 in a deficit position and have an overdraft with the bank. Their question was, when the bills come in for needed repairs, what will they do? Are they going to send it to the minister?

Evelyn Parker, who was there, stated that Bill 4 was like a Scud missile attack on her. She asked why big corporations like Bell Canada can have increased profits that are regulated so that they actually are regulated to make a profit, and yet small landlords like herself are unable to survive. She is doing all the work and all the repairs herself—she cannot afford to have anybody do it—and actually has been even before Bill 4. She was extremely upset with the comments by the minister about being allergic to landlords. She expressed that concern and felt that was very unfair.

Fred Dobin was also there, and actually had some rather humorous comments, as I remember, and said it in a very great way. He said, "Why is this government going to attempt to do something even if it is stupid?" He said that he has been in contact with some of the West German investors and they are looking at us and saying they are extremely upset. Lives are on the line and he is very indignant, mad and hurting.

I was moved by a lot of the testimony of some of the people, and they certainly were not large landlords with big corporations. These were small individuals.

There was also a chap who wrote me, Kenneth Mate, and he said, "I am writing as a small landlord and a steelworker." He may be friends with the member for Wentworth East. He may know him, because I know they worked in the same industry. He was against the government's proposed changes in the rent review system, Bill 4, and he actually demanded to speak about that and said, "I would appreciate your help regarding this matter."



Then I also had some other comments from some other landlords talking about the phase-in provisions, saying that she is the one who is hurting, "I have a number of tenants that give me post-dated cheques in November to cover their monthly increases until they go south in the summer," and she is afraid of losing all her hard-earned savings.

I was looking at some of the reports that are out there that have come in from some of the objective experts in this field. As members can tell, a lot of information is out there, and I will not read through it all, but the file is becoming very thick regarding the problems that many people are experiencing out there. I suspect it will get a little bit larger as we continue on.

I was very curious about some of the comments that have occurred from some other parts of the world regarding some of these provisions. There is the one chap, the professor of economics from Sweden, who said: "Mr Rae must be reading books that are 20 years old. Ontario alone in the world is moving towards a system which simply has not worked in other areas."

This Swedish economist professor goes on to say: "Decades of Communist government has led to desperate shortages of apartments throughout eastern Europe. Major non-communist cities, like Paris and Vienna, have also been suffering under rent controls. Apartments are virtually unobtainable in the cores of these cities, except for the lucky few inherited leases and so can rent grand residences for less than the cost of the rooms in the slums."

That is what we can expect in Ontario in the year 2000, according to the professor.

"In Sweden, just like everywhere else, a program which was introduced as a social policy has had the exact opposite effect. Sweden built almost no new houses without public funding between 1942...and the fiscal burden has been enormous. In the last decade the cost of funding all the public housing has risen to almost 3% of the gross domestic product. Last December, the Swedish Parliament passed almost unanimously a decision to abolish all government interest subsidies, beginning in 1992."

A couple more go on during this article saying more than half of these units are owned by small landlords. These are the people I have had the opportunity to meet in some of the sessions that were out there, and it was very moving testimony.

During that period of time we also met with a lot of the tenants. We were not allowed to ask any questions and speak with them, but afterwards there was some coffee provided and we got a chance to sit down with them. They said: "You know, we agree with a lot of the things that are out there. We just want to be fair in our relationships." They related how some of the small landlords they are involved with were doing a good job and there was actually a tremendous amount of co-operation out there.

In fact, they were even saying how, when other tenants destroy some of the property, they get involved in trying to stop it. They explained that one of the places actually put a wooden fence up around the garbage to try to separate it so that people would not have to see the garbage sitting out, and I guess some of the kids came around and destroyed it. They said, "As tenants, we try to prevent things like that

from happening, and the reason we do that is we realize we have a very good landlord."

So there were some very, very good comments, and I know the member for Wentworth North, who was taking some of the notes, was moved by it as well.

I guess, as we sit back, the rhetoric that I was hearing after the election that came out from the business community and everyone was to the effect that: "Bob Rae's a bright guy, he's intelligent. We all know he's a Rhodes scholar. He wouldn't do anything to hurt business." But I can tell members, as a result of this, the chamber of commerce in my area of Oakville said: "If he'll do this to landlords, what will happen next? What group, as a result of these retroactive provisions, may be targeted?"

even though they make great speeches and go to New York and try to keep the business community happy with some of the things that were done, actions speak louder than words. They say things like, "Yes, we are going to try and be fair to everyone," yet they act in a manner that shows that they are not. It really shows some of their true colours.

So some of the people, and probably some of the ones from the business community who voted for the members opposite, all of a sudden are taking a look at it and saying: "Maybe they aren't going to be as fair as we had hoped for originally." I hope that is not the case and I hope there is some balance there in order to try to help some of these folks who are being severely hurt.

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I did not want to go too long with going through some of these letters because I think the point is made very clearly in the comments from some of these people and in actually going out and meeting with Mr Zicari and his father and seeing the desperation in there.

I am hoping that something can be done as a result of some of these provisions with the retroactive amendments that are being put forward. If we could just get rid of the politics—who is going to take credit for it, whether it was the Liberals or the Conservatives who pushed hard enough for it or whether it was even the cabinet ministers who want to take credit for it—if we could just work to make sure that some of these individuals I have had the pleasure of meeting, although it is an unfortunate pleasure under the circumstances, will in fact be helped and we will not leave them hanging. Quite frankly, to some of the people like Joseph and Mrs Rockliffe who are so desperate, there is not too much you can say. We tell them that we are going to bring it up but that the government seems adamant on these provisions. I know they are tremendously concerned, but unfortunately as we sit here we do not see too much movement.

I do not suspect my words of wisdom here today are going to change the other side on it. I have not seen any lightbulbs go off there or seen anybody stand up and say that things are going to change, and I suspect they probably will not in a lot of areas, although I think the member for Guelph over there might be changing—no, I guess not.

I say this because being part of the committee process and sitting on some of the other committees has been a good opportunity to get some good give and take and to



understand where other people are coming from. I think as a result of some of the work we did on there—and we did not have the rent control animosity that I think happened on this committee, maybe I was fortunate to start off on another committee—there is attempting to be some co-operation and some give and take so that the people will attempt to realize where we are coming from when we stand up. Unfortunately, as I have noticed, when you get into heated exchanges, nobody benefits in these circumstances.

I just wanted to get the concerns of some of the residents of my fine riding on the record for the minister to review. During that evening I also gave to the member for Wentworth North some of the comments that people had written down, because I am sure he is getting a lot. Even though that particular evening was not particularly to deal with Bill 4, unfortunately that is what it became.

I hope the members will reflect on some of those comments that are out there and take a hard look and help some of these people who are genuinely in dire straits right now. Those are my comments that I would like to get on the record for this House to contemplate, and I want to thank all the members for taking the time to listen to me this afternoon.

**Ms Harrington:** I thank the member for Oakville South for his comments. He was explaining how he has been moved by landlords' testimony and letters, etc. I certainly would like to let him know that I have witnessed a lot of landlords and a lot of tenants over the last eight weeks and I do have a stack of testimony at least 18 inches high. Much of it, I would let the member know, is extremely moving. I would like to ask the member if he was also moved by the testimony of the tenants which he undoubtedly heard at this meeting in Mississauga.

I would like to think back on the consultation that we held a couple of weeks ago in North York. At that time a Conservative member's legislative assistant was sitting in on the meeting, and halfway through, after the tenants had finished speaking, he said to me with his eyes wide open, "I really learned a lot." So I think it is very helpful that people listen to what is happening out there. The reality is that the system that we had in place was not working and that there are many, many tenants who do need protection. Some 30% of the tenants in this province pay over 30% of their income for their residence, for their home.

The member for Eglinton was discussing the issue of retroactivity, and I would like to let her know that this was a very difficult date. It is very difficult to set a fair system. The way it is now 110,000 applications for units for increases in rent beyond the guideline are in fact going through. What we are indeed doing is 110,000 are being caught, but 130,000 units are still getting rent increases that are being passed through to the tenants by picking this date of 1 October. I submit to members that that is not protection for the tenants of this province. That is not a fair system and that is why the system has to be changed.

The system that we had was being used, it was being abused, and the buildings were being milked. I happened to copy down a quote from one of our hearings. In fact, it was almost two months ago. This was from a resident of Toronto, a tenant, who said, "I feel as though the city

where I have lived all my life is being raped by speculators and developers aided and abetted by politicians who have totally lost touch with what life is really like for the majority of ordinary people." She said that very directly and from the heart. I would really ask that the House think about these people who are here in this city and across this province. They are ordinary people, and their voice has not been heard.

I would like to point out that the system that has been in place since 1986 is a very complex system, that some large landlords have learned how to use this system. They of course can hire experts. They can use the system to their advantage. There are many others; they are small landlords or they are tenants who do not know how to use this system.

Last night in Kitchener we spoke to tenants and landlords. Some of the tenants who had been in their buildings for 17 or 22 years, were saying how in order to appeal a rent increase, even just to use the forms, to go through all that work was very difficult for some tenants who did not understand the process. Even when they went through the process, usually it was denied. Our system was very frustrating for them. I say to the honourable member for Eglinton that there was not a fair system and there was no trust in this old system.

Now let's turn to the needs of business, which has been mentioned in the last hour. Business needs predictability, yes. That is why we were out there consulting, travelling this province talking to people. We are trying to be realistic. We are trying to find what is really going on. Last night I had landlords in Kitchener who thanked me for coming, who believed that they were part of the process, and they are indeed, as well as the tenants of this province. They need predictability.

We discussed what the flexible guidelines should be based on. We discussed extraordinary operating costs, which we know there are in this province. Municipal taxes go up very drastically in some places; hydro and heating and other necessities go up drastically in other parts of this province. We discussed the reality of the capital expenditures that are needed in this province over the next few years, over the next decade, to make sure that our buildings are maintained the way that everyone wants them to be. So we are dealing with reality. We are talking with these landlords. We are trying to find a system that works. We are trying to find real protection for tenants.

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We also discussed with these people the need for maintenance in the buildings, the lack of teeth in the legislation and the complex system they have now where municipal bylaws are involved, where there is a provincial body as well which is involved, and how it takes 18 months at some points to try to get these things resolved.

I would like to end by saying that yes, we definitely need new legislation, that we need this consultation process, and that this is why we are trying to move as quickly as possible, because we know the reality of business in this province. We are trying to appreciate it. At the same time, we are here to protect the tenants of this province, and to go back to people like this who maybe have been ignored in the past, the ordinary people of this province who say, "I



feel as though the city where I live has been raped by speculators and developers." It is now time for those people, as well as the rest of society, to be heard.

**Mr Mahoney:** I think that much of the point of the concern has been missed by the parliamentary assistant and by the minister. I heard many of the items read into the record with regard to some of the companies that submitted their concerns and I think that is quite legitimate, and that is the position that our colleagues in the Conservative Party have taken from day one.

I just heard the parliamentary assistant make reference to ordinary people. I think that may be a quote; it is close, anyway. That was the intent—the ordinary people of this province. What I found out—

**Mr Perruzza:** Here we go.

**Mr Mahoney:** Excuse me, is there an echo in here?

**The Second Deputy Chair:** Please address the Chair.

**Mr Mahoney:** Sorry, Mr Chairman, I am trying to, but I am being distracted by some individual up in the gallery up there, wherever he is.

I would like to address my comments to the parliamentary assistant, because the minister does not really listen or care about these, but the parliamentary assistant sat, along with myself and others, in Sudbury, in London, in Hamilton. Once we got out of the city of Toronto, we listened to people coming before our committee who were talking to us about retroactivity and about what it was doing. I heard and saw a lot of sympathy. I saw sympathy in the eyes of the parliamentary assistant, not necessarily all of her colleagues on that committee. I heard her say things to the deputations that came before us like, "We hear you and we thank you for coming and we appreciate your input and this government will be sensitive to your concerns, but we're going to pass this retroactive legislation anyway."

Amazing logic, because these were people, not the real estate companies I heard used as examples, albeit legitimate examples.

I remember the lady from New Liskeard. The critic on Housing from our party will remember the lady from New Liskeard who had, what, half a dozen small apartments, who had owned them all her life. It was part of her retirement fund. I believe she was a widow and she had her daughter in attendance with her at the hearings.

**Mr Perruzza:** Let's go.

Interjections.

**Mr Mahoney:** The folks on the back benches of the NDP can make light of this, particularly those who did not sit through those hearings. We were talking to people and I believe what they were telling me was true. They were telling us that indeed they were going to go bankrupt. The parliamentary assistant would remember that. They were saying, "You're going to bankrupt us with this."

My concern is that there may be a legitimate problem with some of the tenants in the Parkdale community and others who have landlords that have left huge holes in the walls and cockroaches in the buildings. We heard those deputations here at Queen's Park, and no one—not the Conservatives, not the Liberals, not the New Democratic

members—supported that kind of treatment of those tenants. No one agreed that that should take place.

We agree that there should be tough legislation to address those particular issues. What I have such difficulty understanding is how the government takes a shotgun and just blasts it across the province, ignores the pleas.

I remember there was another young man in Sudbury who came to us and said that he had taken over a small building from his grandfather and that, with his own skills and his own hammer and nails, on his own, seriously working at this. We are talking about real people. Do not talk to me about real people in the province of Ontario and then pass legislation that simply puts them into bankruptcy. You are not allowed to use words like "hypocrisy" in this House, so I will not do that. But it is awfully passing strange to me that they would stand up in great defence of the real people, the little people, and then when we go to the hearings and those people come before them, begging, pleading to the government members of the committee—the member for Etobicoke-Rexdale knows all about this—"Please listen to us and give us some amendments so that you don't bankrupt us."

He is still a young man, he has his whole life ahead of him, and he is facing the fact that he has had to do this work. As I recall, he had a vacant apartment. He knew all his tenants on a first-name basis; they knew him. The fellow in Sudbury, they knew him.

**Hon Mr Philip:** Who is that?

**Mr Mahoney:** We are talking about a small landlord. We are not talking about a numbered company. We are not talking about speculators. We are talking about a young guy who took a building from his grandfather and built it into affordable, decent, clean housing for some tenants in Sudbury.

Then we were in London and we heard a young fellow again come before us who bought—my numbers, I think, are accurate. I could look it up; it is in Hansard. He said he bought a building with four units in it and he moved into one and he rented out the other. He and his wife lived in one and he as well worked with his own sweat—sweat equity, I like to call it. He improved the living conditions for all of those tenants. Then, after they helped, over a couple of years—I think it was five, six or seven years—they paid down the mortgage. They saved their pennies. The husband and wife worked very hard, dedicated, in London. They bought another one, another four units. He stood before this committee and pleaded with the parliamentary assistant and with the members of the government side to please not force him into bankruptcy. I know the parliamentary assistant was affected by that.

**Mrs Cunningham:** Are you going to let Elizabeth up?

**Mr Mahoney:** I am going to let her have it. Would the member relax? I was told she wants five to ten minutes. The member is taking away my time. I will let her have it.

**Mrs Cunningham:** We will listen now.

**Mr Mahoney:** If the member does not let me make my point, maybe I will not let her have it.



These poor young people were pleading with the parliamentary assistant and the members. If the minister is callous, I can understand that. I guess he has his marching orders from the corner office of this pink palace. He is going to do whatever he is told. But those guys had to actually sit there and listen to those people beg and plead not to put them into bankruptcy.

I really thought, when I heard all the wonderful words from the committee members, that just maybe there would be some understanding of those little people, but instead they have tried to portray this as a battle against giant ripoff artists or landlords. It is just absolute nonsense. I have said it before: We do not live in the province of Toronto; we live in the province of Ontario. When they get outside of this problem, which they should deal with in a tough and firm way, when they gets into the smaller communities where there are vacancies in these places, where there are people working their fingers to the bone to try to make a living, where it is their lives that they are affecting, they do not seem to care.

In the interests of allowing my colleague from the Conservative Party to have, I was told, five to ten minutes—this will leave her about eight—I will conclude my remarks and look forward to the debate continuing on.

**Mrs Witmer:** I would like to thank the member for Mississauga West for giving me this opportunity to address this bill. I have had the opportunity the last few months to receive numerous phone calls and receive many, many visits to my office from many, many ordinary people. I have not heard from the large landlords, I have heard from the small landlords, and I would like to share with members today one of the letters that I have received from one of those small landlords. It is from a man, Peter Stefens, and he says:

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"Presently my wife, my parents and I are trapped between the struggle of two powerful lobby groups.... I am a mechanic.... My wife and I both work full-time while enrolled in evening courses at university, hoping to advance ourselves. We rent the house we reside in and...contribute to an RRSP plan for an eventual down payment on a home.

"During the winter of 1989-90, I suggested to my parents that we invest in real estate instead of RRSPs. We began an exhaustive search for a suitable income property and after pooling our funds, purchased a small 11-unit apartment on 30 April 1990.

"Prior to the purchase, I had consulted extensively with the rent review office in Kitchener to ensure that all regulations were followed, and thus convinced my parents that this would be a worthwhile long-term investment. The apartment at that time was operating at a significant loss, but we were assured that by following the proper legislation, the rents would be increased slowly over a five-year period to a break-even point. We were prepared to contribute from our own finances for the short term.

"Taking pride in our first property, we worked on improving tenant relations, on improving the building's appearance and on its general upkeep.

"The date for the annual rent increase for this building was 1 August 1990. However, upon the advice of the rent review office manager...we delayed any rent increases for three months to 1 November 1990. This recommended delay was to provide sufficient time to substantiate our sizeable financial loss. Our accumulated receipts and 12 months of receipts from the previous owner were submitted with the building review application.

"We do not oppose a two-year moratorium on rent increases for buildings purchased after 1 October 1990, but the extension of this moratorium to our application submitted on 2 August 1990 would cripple us financially.

"The current annual loss of \$35,000 far exceeds the gross annual salaries of either my wife or myself. Presently, more than my complete take-home pay is required to keep this apartment complex operating.

"Several realities, such as my pay subsidizing the rents, driving a diesel Volkswagen to save money while some tenants drive new RX-7s or Camaros and our work going unrewarded...." However, they were not discouraged. They believed and "were assured the apartment complex would break even in five years. Now the proposed cancellation of our building review application and any approved rent increases for the five-year phase-in period has eliminated all incentive for us to continue. Financially, we cannot wait....

"Our options are limited and very bleak:

"1. Sell the property now and lose all of our equity.... Our down payment for a home and the invested retirement funds from our parents would be wiped out. The property may be closed up by new owners until rental rates cover expenses.

"2. Because the sale may not even cover all liabilities, the possibility exists of defaulting on the creditors and bills, in essence, walking away from the property, which is similar to the crisis in Alberta in the early 1980s. Furthermore, if either my wife or I lose our job, there will be no funds available to meet the financial obligations.

"3. Hold on to the hope that new legislation would allow existing applications to be reviewed, and approved increases under the existing legislation to be implemented.

"From early 1990, we have abided by the existing legislation, but now we are being penalized severely because the proposed legislation goes back in time. I urge you, Mr Cooke, to address this injustice.

"Small investors and property owners, I believe, are beneficial for tenants and for Ontario. However, if this serious problem affecting not only us as owners but all of our tenants cannot be rectified, I know that our investment in Ontario and our support for the NDP government could not continue.

"I cling to the belief that individuals following existing laws"—and I guess that is the key. These are people who followed the existing laws and they are now being punished. He hopes "that restitution will prevail."

These are the types of individuals who have been knocking on my constituency door. These are the individuals who have been calling me. It is the small land owner who has put his earnings, all the money he has, into an apartment building. Because of the retroactive nature of



his legislation, they are now being penalized and they are facing bankruptcy. I hope this government will reconsider.

**Mrs Y. O'Neill:** I feel it is relevant that today I correct what the parliamentary assistant has just brought to this House. That there is all kinds of consultation going on on his but it is not on the bill we are talking about, Bill 4. It is on the green paper that is circulating, and that is my objection. There was no consultation, just retroactive legislation without consultation. I want that understood.

**Mr Callahan:** In the few seconds left I thought it should be made perfectly clear that the New Democratic Party is not the party that is concerned about people in mental accommodations. This whole thing is put up as a political ploy. If they do not think it hurts any member of the Legislature to hear people who are having difficulty in meeting their rents—that does not just deal with housing, it deals with a whole host of problems. Will the government get on with them? People out there are sleeping on the streets. People are starving to death. There are young people who cannot find a place to live. I see the Minister of Housing thinks that is a light topic.

It is very interesting that you think it is so funny that there are people sleeping on the streets. Why don't you get on with your job and do what you were elected to do?

**The Second Deputy Chair:** Address your remarks to the Chair.

**Hon Mr Cooke:** Don't be an ass. I didn't laugh at anything.

**Mr Callahan:** Oh, I am being an ass, am I?

**Hon Mr Cooke:** I didn't laugh at anything. Don't say that I laughed at homeless people, because it is just not true.

**The Second Deputy Chair:** Order. I know it is Thursday evening and members want to get home, but this is not the way to do it. Please address your remarks through the Chair, and by the way, we are getting very short of time.

**Hon Mr Cooke:** On a point of order, Mr Chairman: I have no problem with the member wanting to attribute almost anything but I really take offence at the member saying that I was laughing and giggling at the homeless problem. That is improper.

**The Second Deputy Chair:** Thank you. Tempers are short and I appreciate it is late in the day.

**Mr Callahan:** The minister has attempted to clear Hansard of the fact that he was laughing at the time that I was talking about the homeless. If I have misinterpreted that, I apologize, but why is he laughing at a time when I am talking about the homeless? I would move adjournment of the debate.

On motion by Miss Martel, the committee of the whole reported progress.

#### BUSINESS OF THE HOUSE

**Hon Miss Martel:** I would like to provide the House with the information for the business next week.

On Monday 8 April, we will have committee of the whole on Bill 4, An Act to amend the Residential Rent Regulation Act.

On Tuesday 9 April, we will have second reading of Bill 40, An Act to amend the Mortgages Act, second reading of Bill 28, An Act respecting Class Proceedings, and second reading of Bill 29, An Act to amend the Law Society Act to provide for Funding to Parties to Class Proceedings.

On Wednesday 10 April, we will continue with Bill 30, An Act to amend the Education Act, and we will have second reading of Bill 36, An Act to amend certain Acts respecting Assessment.

Finally, on Thursday 4 April, we have private members' public business standing in the name of Mr Sterling and Mr Wiseman, and we will then have opposition day standing in the name of Mr Elston.

The House adjourned at 1801.



ERRATUM

No.	Page	Column	Line	Should read:
10	392	1	46	the Whitevale site and the extension of Keele and Brock



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
<b>Akande, Hon Zanana L.</b>	St Andrew-St Patrick	NDP	Minister of Community and Social Services
<b>Allen, Hon Richard</b>	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
<b>Boyd, Hon Marion</b>	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
<b>Buchanan, Hon Elmer</b>	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
<b>Carter, Hon Jenny</b>	Peterborough	NDP	Minister of Energy
<b>Charlton, Hon Brian A.</b>	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
<b>Churley, Hon Marilyn</b>	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
<b>Cooke, Hon David S.</b>	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
<b>Coppen, Hon Shirley</b>	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
<b>Farnan, Hon Mike</b>	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
<b>Gigantes, Hon Evelyn</b>	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
<b>Grier, Hon Ruth A.</b>	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Hampton, Hon Howard</b>	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	
Kwinter, Monte	Wilson Heights	Lib	
<b>Lankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Martel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>North, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Irene Mathysen

Clerk: Smirle Forsyth



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# Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Monday 8 April 1991

# Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Le lundi 8 avril 1991

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 8 April 1991

The House met at 1330.

Prayers.

## MEMBERS' STATEMENTS

### FRENCH-LANGUAGE SERVICES

#### SERVICES EN FRANÇAIS

**Mr Grandmaître:** The Minister of Community and Social Services spoke on Friday before a meeting of the Ottawa-Carleton social planning council.

Ottawa-Carleton is, as members are aware, a designated community under Bill 8, the French Language Services Act. This act requires the delivery of provincial services in French and in English in communities where there is a significant French-speaking population. This act promotes a very simple principle, the principle that French-speaking Ontarians should have access to the same provincial government services that English-speaking Ontarians enjoy.

Therefore, I was alarmed when the Minister of Community and Social Services appeared in Ottawa without French copies of the report of the advisory committee on social services.

Municipalities want to work with the government. They want to be part of the decision-making. But this is impossible when the government refuses to operate by the parameters set out by the French Language Services Act.

Les municipalités de l'Ontario veulent travailler avec le gouvernement. Elles veulent être consultées lors des décisions prises par le gouvernement de l'Ontario mais cela semble impossible lorsque le gouvernement ne fonctionne pas selon les directives de la Loi 8. Les Franco-Ontariens se sentent de plus en plus isolés depuis les coupures faites à la Société Radio-Canada et attendent toujours des nouvelles du ministre des Collèges et Universités par rapport à l'établissement d'une université francophone en Ontario.

I expect an apology from the Minister of Community and Social Services for failing to live up to the requirements of the French Language Services Act.

### SCHOOL TRUSTEES

**Mr Tilson:** For many years now the town of Caledon has been represented on the Peel Board of Education by two trustees. The board has used a discretionary power under the Education Act to appoint the second trustee in recognition of Caledon's large geographic area and the obvious fact that only one trustee from Caledon would be hard-pressed to sit on all board committees. The decision to have a second trustee for a large area of low population must be made by 31 March of each election year and requires a three quarters vote of all members of the board. When the vote was taken on this matter last week, Caledon failed by just one vote to maintain its second trustee.

Something is clearly wrong with the Education Act when a minority of trustees from areas less than half the size of Caledon can gang up to arbitrarily take away 50%

of its representation for little or no apparent reason and with no right of appeal.

My Caledon constituents have been in the forefront of criticizing the actions of the Peel board. They have been the active and vocal conscience of the Peel board. Now it appears that it is payback time, with the score being settled by a small minority of trustees. The situation is shameful and invites a "Bolton tea party" response.

I urge the Minister of Education to investigate and amend the act so that this tyranny of the minority cannot happen again.

### OPENING OF BASEBALL SEASON

**Mr Mills:** When I came to Canada some 34 years ago, I was of the opinion that the most exciting sport to watch was cricket, and on my arrival I had the opportunity to watch a World Series game where Lou Burdette was pitching. I noticed that between each pitch the pitcher would check every part of his anatomy as if to see if all the parts were still attached somehow. My immediate reaction to this game was that to be interested one had to be one small step away from being committed.

Today marks the opening day of baseball here in Toronto. Like many of my colleagues in this House, I have become what is known as a baseball fanatic, and this afternoon I can honestly say that I wish I were down at the SkyDome instead of being here.

Just lately, I have noticed that several members of the opposition and of the third party have become somewhat excitable in this House, and their behaviour I have attributed to baseball starvation. I remain confident that with the start of the baseball season, the Speaker's job will get increasingly easier.

With that, I ask all members of the House to join with me in wishing the Toronto Blue Jays good luck for the coming season, and bring us the World Series here in Toronto in October.

### SPECIAL EDUCATION

**Mr Beer:** It is imperative that the Minister of Education bring in changes to Ontario's special education legislation this spring.

As the minister knows, there has been a great deal of public consultation on this issue. The minister's own Advisory Council on Special Education has worked to ensure that all points of view have been heard. Now we need the draft legislation before this House so that we can move to strengthen the legislation that is currently on the books.

It is very important, for example, that what is called the IPRC process, the identification and placement review committee process, be made both fairer and more effective. It is this process through which children who are having particular difficulties are screened to see what the best educational program would be for them. Many parents have expressed concern that they do not have a big enough say in deciding what kind of program their child



should receive. The minister knows that the proposal before her ministry would see positive changes to the existing system and allow for greater parental input.

Clearly, we want to provide an educational program for all our children that will allow each of them to reach his or her full potential. We must continue to move to greater integration of all students in the regular educational program of each school.

Since the passage of Bill 82, as it was known in the early 1980s, we have made great strides in providing a quality of educational opportunity to students with various special education needs. It is time to take the next step. I would ask the minister to bring the legislation before the Assembly so that together we can build a better future for all of our kids.

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#### POLICE SERVICES

**Mr Arnott:** I want to inform this assembly today of a serious problem which exists in the southern part of my riding of Wellington and which directly affects the municipalities of the townships of Puslinch, Guelph, Erin, Eramosa, Pilkington and Nichol and the villages of Erin and Elora.

The problem pertains to the severe shortage of police at the Guelph detachment of the Ontario Provincial Police, which services these municipalities and a portion of Highway 401. Although the force is doing the best job it can, the number of police personnel at this detachment is totally inadequate to meet the needs of this area, which has experienced unprecedented growth over the last five years, with its consequent increase in crime, highway traffic accidents and act violations.

This subject was raised in this assembly by my predecessor in December 1989, and in a letter dated 6 February 1990 the Solicitor General of the day advised that a review of the number of personnel at the Guelph detachment was currently under way, in conjunction with a broad-based review of the services provided by the OPP throughout the province.

In a letter dated 1 October 1990, I brought this matter to the attention of the new Solicitor General who, in a reply dated 8 November, informed me that the OPP province-wide review was in the final stages of completion and it was expected that a final report regarding staffing shortages and other related concerns of the 16 OPP district headquarters would be submitted to Management Board in April 1991.

I am sure that the southern municipalities of Wellington are not the only jurisdictions in the province anxiously awaiting the release of that report and an indication from the Solicitor General that increased levels of police personnel will be provided and maintained in those areas which are now in critical need.

#### NATIONAL SOIL CONSERVATION WEEK

**Mr Wiseman:** I would like to point out to the members of the House that this week is National Soil Conservation Week.

Conserving our soil is a vital part of our efforts to maintain and improve the whole of the environment including our air, water and ecosystems. Without a healthy, productive base of soil in our farmers' fields, Ontario

would not have the fresh, abundant fruits, vegetables and grains that we so often take for granted.

Many Ontario farmers are doing their part to ensure the future of this valuable resource. Through programs like the land stewardship program, farmers learn about and participate in farming methods that are environmentally sustainable.

Being environmentally responsible need not be an expensive, onerous burden. Indeed, farmers are showing they can actually cut costs and improve long-term production by conserving their farm land.

I would like to make special mention of the Ontario Soil and Crop Improvement Association. The association continues to work co-operatively with the government and farmers to make a real difference by motivating the farming community to improve the environmental quality and productivity of farm land.

Earlier this year the Minister of Agriculture and Food, the Honourable Elmer Buchanan, announced the land stewardship II program. This \$38-million initiative combines the flagship stewardship program with the older program under the Ontario soil conservation environmental enhancement program. Land stewardship is attempting to reach farmers who are not already involved in conservation, and it is working.

I would also like to point out that it is a good time to think about acts of this kind and environmentally sustainable practices, and that we need to continue them year-round.

#### POLLUTION CONTROL

**Mrs Sullivan:** It has become very clear that the Minister of the Environment has become the Minister of Garbage. As she wades through that growing mess, other important environmental issues and concerns are being consigned to the trash pile.

For the clean air program, the public consultation period was over in February, yet we have seen no announcement of the revised timetable nor of the development of the final clean air regulation.

The minister had promised early negotiations on acid rain with small emitters, and a post-1994 program for the major sources. Where is that program?

The extended public comment period on the municipal-industrial strategy for abatement issues resolution finished last October, but what conclusions has the minister drawn on these issues? What will be the public input into the drafting of the control regulations?

Where is the petroleum refining abatement regulation? That was due out for public comment last fall. In fact, what is the minister's timetable for release of all the MISA abatement regulations?

Where is the promised Safe Drinking Water act? Where is the ground water protection program? Even on her much-touted environmental bill of rights, the promise of immediate passage has evolved into undirected consultation.

There is nothing on the order paper from the Minister of the Environment. These matters are too important for words only. We need action.



## CHILD CARE

**Mr B. Murdoch:** I would like to bring to the attention of the House and the Minister of Community and Social Services the plight of all municipalities in Ontario, but specifically the county of Grey and the city of Owen Sound.

As you well know, the poor economic climate in this province has forced many women in rural areas to supplement their income by caring for children in their homes during the day, but this assistance for farm families may soon come to an end.

Our municipalities can no longer manage the enormous social service costs mandated to them by the government. All over the province, discretionary programs are being lost or cut.

In February the minister promised aid to local governments to ease the huge welfare burdens, but to date we have seen no action, and communities like mine are wondering if indeed the minister meant what she said. The wardens and regional chairmen who came to Toronto last week tried to get an answer from the minister, but she excused herself from the meeting, leaving everyone to ask whether or not she really is concerned with day care closings and losses of programs.

I feel that it is most ironic to watch an NDP government, the friend of the people and spokesperson for the common man, oversee the complete dismantling and destruction of the social service system in the province, but if some relief is not made available almost immediately to our struggling local governments, that is indeed what will happen.

## CONSTITUTIONAL REFORM

**Mrs Mathysen:** I wanted to tell the House about the meeting of the Citizens' Forum on Canada's Future on Saturday 23 March in the town of Strathroy. The meeting was part of the Spicer commission's visit to Canadian communities.

The people of Middlesex filled the Strathroy meeting room to tell the commissioner how important Canada is and that people in Middlesex are committed to preserving our country for our children. They told the commissioner that they wanted a Canada with a strong central government, a Canada with a restructured government more willing to listen to Canadians, a Canada that respected and acknowledged the contribution of native people and all those who came to this land to build a country; and they wanted a Canada with Quebec. I am proud to tell this House that the people of my riding spoke hopefully, eloquently and passionately for Canada and made it clear that there is no problem that we cannot solve together.

## STATEMENT BY THE MINISTRY

## PREMIER'S COUNCIL ON HEALTH STRATEGY

**Hon Mr Rae:** I am pleased today to share with members of the Assembly four reports which have been prepared by the Premier's Council on Health Strategy. In so doing, I naturally want to pay tribute to the predecessor government and to my predecessor, David Peterson, who established this particular council. The reports contain the

council's advice on the future management of our health care system and the importance of improving the health of all Ontarians.

Nurturing Health recommends a framework within which public policy can support the improvement of individual and community health by influencing the determinants of health.

Towards Health Outcomes: Goals 2 and 4 Objectives and Targets recommends specific program objectives and targets to achieve two of the council's health goals for Ontario. These are goal 2, to foster strong and supportive families and communities, and goal 4, to increase the number of years of good health for Ontarians by reducing illness, disability and premature death.

Local Decision Making for Health and Social Services in the Community offers options on establishing regional authorities for health and social service planning and management to ensure that local health and social services are responsive to consumer and community needs.

Achieving the Vision: Health Human Resources addresses the need to strengthen human resources planning and management within our health care system.

At this time, I am pleased to recognize in the gallery four members of the council who served as the chairpersons of the committees which produced these reports, and I would ask members of the House to recognize their extraordinary voluntary contribution to the province.

With us today are Roy Aitken, who chaired the health care system committee—I am pleased to note that Mr Aitken shortly assumes responsibilities as president and chief executive officer for P T International Nickel, with headquarters in Jakarta, Indonesia, challenges to which we wish him well; Dr Reva Gerstein, who headed the healthy public policy committee—Dr Gerstein is known to all member of the House; Mary Shamley, who is chair of the health goals committee, and Peg Folsom, head of the integration and co-ordination committee.

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I want to thank these members of the council and their colleagues for their efforts and dedication in the preparation of these very thoughtful and provocative documents. I would invite members of the House to read them and to study them carefully, because they are indeed thoughtful and provocative and they will have an impact on policies of this government and indeed any other government in the province.

I also want to assure members of the House of this government's commitment to consider the recommendations of the council as we create opportunities to manage our health care system more effectively and to improve the health status of Ontarians.

These reports will be building blocks for a broad public dialogue on the future management and development of our health care system. I look forward to the discussions both in this chamber and with the people of Ontario.

I also expect to begin discussions with the Council on Health, Well-being and Social Justice later this spring on the contents of these reports as we establish its agenda for the next few years. The mandate of the new council will build on the broad view of health and the importance of



equity and wellbeing in the health status of the population that the Council on Health Strategy has articulated so clearly in its reports.

With the mounting pressures on our health care system and the recently announced reductions in federal government cost-sharing, it is essential that we better manage our health care and social service systems and continuously improve their quality. We must also focus on other factors like child development, employment and the environment, which we know can yield benefits in improving health status and wellbeing.

Again, I want to thank personally the council members for their valuable contribution. Their recommendations have provided us with a solid basis to work together to achieve better health for all Ontarians.

## RESPONSES

### PREMIER'S COUNCIL ON HEALTH STRATEGY

**Mr Phillips:** I would like to join with the Premier in congratulating the group, which has done outstanding work. As the Premier indicated to the House, I think in many respects the Premier's Council on Health Strategy has, for the country, provided some of the most thoughtful considerations that are available in the health field right now. Certainly I thank very much the four members who are in the gallery and in fact all the members of the Premier's health council. I look forward to absorbing these four reports and their helping to provide me with a backdrop of how we are going to tackle some of the key issues in the health care field in the years ahead.

I think the Premier and all the government appreciate that this is an area that represents about 34% of the current budget, growing substantially. The demands on the traditional areas of health care, the hospitals and what not, are substantial, yet I think the Premier's health council has pointed the way that many of our solutions in health care rest outside the traditional health care solutions, more in the community, recognizing that poverty, homelessness and many other aspects play perhaps as important a role in health care as our hospitals do.

I am pleased to see that the Premier has decided to continue the health council, albeit with a slightly different mandate, but none the less one that will look at health in its broadest sense. As the Premier said, if we read these four reports, along with a lot of other reports that the Premier's health council has developed, it will provide a useful backdrop for all of us if we in this House look towards solutions in the health care area.

Certainly I would repeat what I said earlier in the House, that it would be our hope that the Premier and the Minister of Health would move quickly in some of the areas that I think are obvious and certainly some of the areas that the Premier's council has indicated need action quickly. I am talking now of things like action in the long-term care area, where the community is awaiting direction. There is no question that we need to strengthen our community-based care. As we look to taking the pressure off our traditional hospitals, it can only be done if our community-based care mechanisms and support systems are in place. That takes time and, frankly, money as well.

The drug benefit plan: A very thoughtful report has been prepared for some months now that will be helpful, I hope, to the government.

Certainly in looking at the Ontario Medical Association negotiations, as the government proceeds with those, I would hope that considerations take into account the need for community-based care and many of the recommendations that have come out of the Premier's health council. As well, we are looking for some action in terms of what I call cross-border health shopping, out-of-province billings in the health care system and certainly some action in the northern health area.

I am very pleased to have a chance on behalf of our party to say how much we appreciate the work of the Premier's health council. As I said earlier, we have four outstanding individuals, but the Premier's health council consisted of many. The people of Ontario are indebted to them for the time and energy they put into it, because as the Premier said, if you read those reports, you will find, I think, part of the solution for the challenges that rest with all of us in the health care system.

I think all of us in this House appreciate that one of the things that truly sets Canada apart from virtually any country in the world, and certainly from our neighbours to the south, is our quality health care system available to everyone. We are not going to be able to sustain that without some creative new approaches, and I believe as we look at many of those reports from the Premier's health council, that will give us part of the solution.

I guess lastly I would wish the new deputy—I think he is officially a deputy—Mr Pascal, who is heading up on behalf of the government the Premier's health council, all the very best of luck and certainly I can assure him that we will be doing whatever we can as a party to assist in making certain the people of Ontario have the best possible health care system.

**Mrs Cunningham:** It gives me a great deal of pleasure to stand in this House this afternoon and extend our sincere congratulations to those members of our community of Ontario who have given so freely of their time for many long, long hours. As I look at them, I know some of them, and we are most appreciative of the expertise and the dedication that they brought to their jobs as members and chairpersons of committees for the former Premier's health council.

This has not been an easy task for that health council. I am sure that they have shared the hopes and the dreams and the optimism of many families across this province as we look towards new ways of dealing with health care for the very young to the elderly, and as our growing population tells us that in fact it will be an elderly population, we at times in our lives, as members of families, are very much concerned about what will happen to the older members of our community.

We have not solved the problems. They have become somewhat bigger, as the Premier's health council has so aptly put to us in the reports that it has tabled to this date, and today we look to the conclusion of its reports. We congratulate them on their hard work.



Those of us who have been interested, in the Progressive Conservative caucus in our communities in the past few years and in fact the past few months—I can speak freely to say that in our constituency offices health care is one of the major issues that families are concerned about.

As this new government takes on its responsibilities and as it has established the Premier's Council on Health, Well-being and Social Justice under the apt, I believe, guidance of Charles Pascal, I will say that we hope it will in fact deal with the recommendations of the former Premier's council, which were meaningful, realistic, not easy to achieve, will take hard work and determination and guts to deal with.

I am now talking about reports not only of the Premier's council but of the Lowy report on the overmedication of our elderly, which we have not dealt with, that the Premier was so concerned about in opposition and that we know he will carry through with.

The northern health care concerns: As we take a look at training people in health care, not just physicians and nurses but all the other support system, we have to take a look that they are well-maintained across the province, and that we have ways of encouraging health care professionals to move to our northern communities, where the services are so very much in need.

As we talk about sending patients in our own communities, our citizens, to the United States for treatment, many of us find it very difficult to justify those kinds of services south of our border when we are so proud of what we are able to do in Canada. We very seldom talk about the health care we provide for citizens from all over the world, not only citizens who come to us but physicians who travel around the world and have been trained here in this great country of ours.

1400

As we talk about long-term care and care for the elderly, we must take a look at the tremendous challenges of nursing homes, whether they be public or private. They are the institutions that are dealing with the very real people there now. It will not be an easy decision for the Premier, and he may in fact have to give up some of the principles he feels he has supported in the past, for they are the only services that are there now and we need them, and we need more of them.

The hospital funding system which the members of the Premier's Council on Health Strategy have brought to our attention in the past, the physician payment methods which you have brought to our attention, these are reports that took a lot of time. We are only hoping in this caucus that in fact we will see results and recommendations and solutions to the problems.

As we take a look at the tremendous challenge in managing our health care system and not only maintaining what we have but making it better, I want you to know, Mr Speaker, and the Premier of this province that this party is prepared to help in any way it can.

With that I will close by saying once more, thank you sincerely for being here today. We look forward to reading your report and your press conference this afternoon. We thank you very much for the hard work that you have done on behalf of so many citizens who are more vulnerable than ourselves across this great province. Our thanks.

## ORAL QUESTIONS

### ELECTORAL REPRESENTATION

**Mr Scott:** I have a question for the Premier that has to do with the way his government proposes to take governmental decisions and the relationship his government thinks it has with elected members chosen by the people who are members of this assembly.

For many years in the bad old days when the NDP were in opposition, then under the leadership of Stephen Lewis and Michael Cassidy and Donald MacDonald and the present Premier, it was emphasized continually that the individual member of the Legislature was an important tribune elected by his community to represent the views of his community, not only speaking in the assembly but in its relationship with government. This was what the democratic process was said to be about, this was the nature of responsible government as we know it, and this would be the way that an elected Legislature had status and influence.

I shared often the then Premier's concerns about these matters, and indeed the new rules that were entered into in 1985 and 1990 were designed to enhance that role. There has been some backsliding, but that perhaps is understandable: the closed-door accountability session the NDP had; the efforts to keep the member for Oriole out of a public housing meeting convened by the Minister of Housing; the announcement that if you wanted to know how to deal with the new NDP government you should pay \$800 into the party's coffers and come to its session; and, just before last Christmas, the proposal of the Minister of Colleges and Universities and the Minister of Transportation that cabinet decision-making would be shared only with NDP members of the Hamilton council.

Notwithstanding that backsliding, it has come to our attention today that across Ontario the NDP and its government have established a system of what are called "alternative provincial representatives" in ridings, exclusively, of course, that are not held by the government; indeed, I believe including my own. This comes to our attention because a person identified as Leo Courville has announced that he is the alternative provincial representative in the city of Cornwall, notwithstanding that he was rejected by almost 6,000 votes in the last election.

He was asked by the local paper what he was doing, and he said that he especially has the ear of the government, that he could help rectify the fact that an NDP member was not elected in Cornwall, that he was a strong voice at Queen's Park and that it is an NDP government and this is what it takes to deal with them.

I want to ask the Premier, because he will understand as an opposition member how destructive this is of the role of a properly elected member of the assembly even in opposition: Who established this system, what do these alternative provincial representatives do, who chooses them, what powers do they have and what influence have they had in government decision-making to date?

**Hon Mr Rae:** I listened with care to the member's preamble and to the member's question. I want to just say to the member that it is my view that being a member of the Legislature is a very important full-time job, and I am



sure the member for St George-St David shares my views on that subject.

Furthermore, I would say to the member for St George-St David that there is no such system in place. It does not exist. It is a creation of the overactive imagination of the member for St George-St David. There is no process by which anyone is chosen for such a fictitious position. There is no such position around. I would say to the member that of course there are riding associations which continue to exist, 130 riding associations across the province, but the people who have been chosen by the members and by the public to represent the public are the people who represent the people of that part of Ontario. Obviously, the political process carries on but the system which the member for St George-St David has invented does not exist.

**Mr Scott:** The Premier's response to my allegation, which he obviously takes seriously, is not to worry about it because the system that I have described does not exist. We will come to that in a moment when we will have examples from the Premier's own party of persons who describe themselves as anointed as alternative provincial representatives. Then we will see whether in fact the system exists or not.

The reason I raise the matter, however, is that Mr Courville, whoever he is—all we know about him is that he has been roundly rejected by the people of Cornwall as their representative—says he is the alternative provincial representative. He says he has been invited to travel to Queen's Park to meet with Bob Rae—I take it that is the same, if I am not mistaken, Bob Rae who is the Premier of the province—on a number of occasions. He says he has written him, but will not provide, I gather, a lengthy letter dated 27 March, portions of a copy of which have been disclosed to me, which indicates that Mr Courville, the alternative provincial representative of the NDP in Cornwall, says the government should reject the views of the municipally elected officials in Cornwall on local municipal matters.

Will the Premier undertake, as the system does not, as he says, exist, to let us know what those meetings with Mr Courville were about, and furthermore to undertake, when alternative provincial representatives come to Queen's Park to lobby ministers and the Premier, that the elected member for the riding will be invited to attend those meetings or at least have the minutes of the meetings so that we can be sure the legitimate views of the community are being known?

Is this what the Premier meant when, with a good deal of piety, both before election and after, he said he was going to have open government in which elected members would be consulted? If such a system exists, and I believe I can demonstrate it does, will he be good enough to immediately acknowledge that a mistake has been made and direct that it be disbanded?

**Hon Mr Rae:** Let me say first of all to the member for St George-St David, to repeat again, that I do not mind him making allegations in the House because that is what I have come to expect from him, but I think I am entitled to say when to my knowledge those allegations are utterly

and completely untrue, unfounded, not based in fact, and have nothing to do with reality.

The member for Cornwall will correct me, but I was in Cornwall recently with my wife. I attended a dinner which was held by the chamber of commerce. I had a number of meetings with members of the community. Mr Courville was present at one of those meetings, but there were literally dozens of people there from the chamber—

1410

**Mr Scott:** Met with you.

**Hon Mr Rae:** No. I am sorry. The member for St George-St David has asked a question and he is wrong again. I know he does not like to hear this, but I am entitled to tell him, I am telling him.

The member for Cornwall is someone whose prodigious work on behalf of his constituents is well known. His letters to me come almost weekly. I have tried to respond to them with the speed with which they have come to me. I have great respect for him as I have for other members. The member for Cornwall is a hardworking full-time member of the Legislature and he has a hardworking full-time job. I take that contribution very straight.

I would say that the member for St George-St David has been away for a while and now that he is back he says he has found something, he has dug deep and found something. I am saying that what he has found is absolute hooley.

**Mr Scott:** We will perhaps come to this, because perhaps the Premier would accept the word of a senior member of his own government if he will not accept my word that this program exists and that these appointments of alternative provincial representatives have been made. The issue is not whether what I say is accurate. The issue is that what Mr Courville says is that he is the alternative provincial representative in Cornwall. He is the one, not I, who says in the local paper that he has met several times with the Premier. This is the man, the defeated candidate, who the Premier now says is a liar if he has not met with the Premier and who should be put down. He is a member of the eastern policy conference. He is obviously trading on influence with the government, and in so far as the government permits him to do that, they should promptly put him down.

It is easy enough for the Premier to make fun of me and I accept that as part of life in the assembly, but I hope he will understand that what we are addressing here is an important issue about the role of elected and the role, by the way, of rejected candidates for the assembly. Will he be good enough, when he responds to Mr Courville's letter of 27 March, which he has on his desk, to tell Mr Courville that he has no authority to make the kind of assertions he has made in the local press, and what is more, that he has lied when he has said he has met several times with the Premier?

**Hon Mr Rae:** Just so we can be very clear and just so everyone understands, Mr Courville was a candidate for us in the last election, and as the member has pointed out, he was not successful. I have been asked whether I have seen his letter. I can say to the member I have not seen the letter



yet, but I get thousands of letters in a week and obviously I will look at the letter.

I do not know whether the member is quoting from a letter or exactly what he is doing. If he is stating that Mr Courville has said that we have met on a number of occasions, I can say to him that I meet with people all the time on a basis. That is not a particular surprise. I have already indicated the circumstances under which I saw Mr Courville. The only other occasion I can think of recently where I would have seen him would have been at a convention for New Democrats at which there were roughly 2,000 delegates. I would not be surprised if I saw Mr Courville on that occasion.

But let me say to the member for St George-St David, I meet with people from all walks of life all the time. There are people who are entitled to play a role in our political party as they are entitled to play a role in the member's party, but there is no such thing as an alternative provincial representative. There is no such system which was part of the member's first question alleging that we had created some kind of a system across the province. That is completely false; completely untrue. There is no such group of people; there is no such system; there is no such effort on our part to take away from the duties and responsibilities of the hardworking full-time members of the Legislature who have a job to do here and whose views we take enormously seriously.

**Mr Scott:** The Premier's response to this issue, which I am certain he takes seriously, as any leader would, is that it is hooey that there is no such system. The system comes to our attention because Mr Courville has described it, but I understand that the Premier has said Mr Courville's account of his attendances on the Premier given in the local paper is false. That is not all there is to it.

On 18 February 1991, on the letterhead of the Minister of Northern Development, a letter was written by that minister's special assistant to David Court, the director of the public, and tax-funded, Algoma District Social Services board, recommending the appointment of one Wilma Sanderson to sit as a member of this publicly funded, tax-paid board.

The letter goes on, "Wilma has several professional affiliations which are as follows," and among them, in the minister's letter, describing a position which we were just moments ago told did not exist, is given that she is "the alternative provincial representative for the New Democratic Party Algoma-Manitoulin riding."

The Premier says that there is no such thing; the Minister of Northern Development says there is such a thing. Do members know the interesting connecting link? Mr Courville, in the paper in Cornwall today, says, "They work very closely as alternative political representatives with the Ministry of Northern Development."

Now what does the Premier say about this? We have from his own ministry a recognition that the job title, the description "Alternative Provincial Representative," capitalized, does exist as far as the minister and the Premier are concerned. What this is is barefaced political pressure designed to insert a non-elected official on a tax-paid board. The government can no longer say this system does not

exist. I want the assurance of the Premier that it will be disbanded forthwith and that the minister will be rebuked for making that suggestion.

**Hon Mr Rae:** Let me try to explain to the member, and I am sure he will appreciate the explanation. In our party we have a convention, which meets every two years, at which our leader is elected and we have delegates. We also have a council which meets four times a year. That council has a delegate, a representative, and it has an alternative delegate or representative.

**Mr Scott:** It isn't what it says.

**Hon Mr Rae:** These councils have been in existence back to Donald MacDonald and Stephen Lewis and Michael Cassidy. These councils have been in existence all that time. We continue to have a party council which meets, which has delegates, representatives from various ridings, from 130 ridings and it has alternative delegates who go to that council meeting and who go to those council meetings four times a year. That, as I understand it, is the status that Miss Sanderson has with respect to the Algoma-Manitoulin provincial riding. That is the beginning and end of that particular molehill.

**Mr Scott:** The Premier having responded first by saying no such thing existed, then having had to respond to his minister's letter, begins to talk about delegates to a provincial council meeting. I point out to the Premier that this is not the way the minister's letter described this person. She is described—

Interjection.

1420

**Mr Scott:** It is not a minister's letter. So now the policy assistant to the minister is to be discounted. Unload them as he has to, the fact is that this person is described as the alternative provincial member; Mr Courville is described the same way. But I want to point out that it is not only my concern that this unelected official has been inserted in Algoma; it is the concern of the board. Here is what the vice-chairman of the board had to say about it.

Interjections.

**Mr Scott:** If members are interested in open government, they will give this a moment. Here is what the vice-chairman of the Algoma board had to say of the effort of the ministry to impose this alternative provincial representative on it in a tax-paid board setting:

"The feeling of the board was perhaps amazement after what we had heard from the Premier, that people would be judged on the basis of their merits. We felt it was done in very, very bad taste by the individual and that it should be brought to the attention of her boss.

"Currie said, 'The mention of Sanderson's NDP links struck us as being mentioned as a specific reason as to why she should be hired. Other governments have never consulted with us, as they should not. Otherwise this would become an old boys' club, which is in direct opposition to the democratic process.'

"Brown said the letter is totally inappropriate. 'I think it's very bizarre to see political interference in the work of district boards.'"



Does the Premier agree that the letter from the Ministry of Northern Development, signed by the policy assistant, is, as the vice-chairman said, totally inappropriate, indeed bizarre in the work of district boards?

**Hon Mr Rae:** I am happy to read a letter which was signed by David de Launey, the executive assistant, which was copied to the leader of the Conservative Party and to the leader of the Liberal Party on Friday. What I heard this morning—obviously I have been briefed on this—was the first that I had heard about it. It said:

“On 28 February 1991, a special assistant to the Minister of Northern Development wrote to you recommending someone for the board of the Algoma district social services. This personal directive went out on the letterhead of the office of the Minister of Northern Development. This letter should not have been sent. It is not consistent with the new process of public appointment that the government is establishing. I regret any undue pressure this recommendation may have put on you and your board members. I can assure you that it will not happen again.”

I want to assure the member that a mistake was made, a mistake has been admitted by the minister's office and it will not happen again. As I say, that is the beginning and the end of it.

**Mr Scott:** It was the Premier who said in the Legislature, “It is to be our governing principle that we must at all times act in a manner that will not only bear the closest public scrutiny but will go further and ensure public confidence and trust in the integrity of government.”

The Premier has said, as we have caught him out, that a letter has now been written apologizing. Are we to understand that as long as we catch him out he will admit a mistake; that if we do not catch him out, he will not admit a mistake? For five questions he has refused to acknowledge the problem; now he acknowledges it. It seems to me that this is an important moment in the legislative process.

I want to ask the Premier, will he and the government apologize to the representative in this House for Algoma-Manitoulin and to the people of Algoma for what the vice-chairman of the board has characterized as a bizarre and inappropriate intervention in the public affairs of this board by this alternative provincial representative? Will he apologize in fairness to that community?

**Hon Mr Rae:** The letter went out on Friday. The minister was in Elliot Lake on Friday. The letter was out on Friday night and she directly responded. Let me say to the member, a mistake was made with respect to this particular letter. But I also want to say that from this letter and from a letter which I have not yet seen from Mr Courville which apparently appeared in some paper, the member for St George-St David concocted an entire elaborate scheme by this government to undermine parliamentary representation in Ontario. That is what I called hooley, because it is not based on a fair attribution of facts.

If the member wants to say that this is an important parliamentary moment, that is fine, I am happy to ascribe any moment which he thinks is important a notion of importance. But for goodness sake, let us not build the kind of elaborate and absolutely unjustified conclusion from the

situation which he has put forward. It is quite unfair, it is quite inaccurate, it does not at all represent the facts, it is not in keeping with the truth, and I am sure the member would want to think about that before he does this again.

#### AUTOMOBILE INSURANCE

**Mr Runciman:** My question is to the Premier. Last week, last Thursday I think it was, the Minister of Financial Institutions was quoted extensively in the news media, indicating that the rights of victims may not be expanded or even included under the new system. This comes approximately two weeks after the minister was sworn in to his new responsibilities, four months after he called the loss of the right to sue the most offensive part of the Liberal legislation, Bill 68. This is indeed an amazing turnaround in a very brief time indeed. The minister is not only abandoning his own views but apparently party principles and NDP policy.

My question is to the Premier, and I am asking him how he can reconcile his own commitment to and belief in the right to sue with the minister's views expressed last Thursday.

**Hon Mr Rae:** As I have said, I think in answer to almost every question which has come on this subject from the member for Leeds-Grenville—and I will answer him as directly as I can—the government is working as a government to present what in our view we find is the fairest and best plan for all the people of the province, including people who are the victims of accidents. We will continue to do that. We will continue to do it as best we can.

Beyond that, I am really not at liberty to comment in any detail, except to say that obviously there is a range of options and ways of doing that. There are ways of providing for people who are injured in accidents and people who are the innocent victims of accidents, and we will present to the Legislature the best and fairest possible plan, at which point it can be fully discussed with all members of the public.

**Mr Runciman:** What the Premier continues to deliver is more bafflegab and non-answers on this issue. We are certainly not getting a direct answer.

I want to read something the Premier said to the former Premier, Mr Peterson, dealing with the auto insurance issue. He said:

“If the Premier was telling the truth when he made that statement back in the election of 1987, he has an obligation now to tell us what that plan was and why he did not put it into effect. He has an obligation to be straightforward with all of us in this House and say why what he is doing now is the exact opposite of what he promised the people of this province during an election campaign.

“I am here to tell the members that this party, his party, the Liberal Party of Ontario, will be judged accordingly for having very clearly and emphatically broken faith with the people of this province.”

Is the Premier telling the people of Ontario that what he required as a standard of honesty and integrity by Mr Peterson and his Liberal government will not be applied to



his Premier and his socialist government? Is he going to keep the promise and restore the right to sue?

**Hon Mr Rae:** I am sure my fate, as does the fate of all of us, lies on a daily basis with the electorate of the province. They will make judgements with us and on us on a daily basis. We recognize that, and I certainly recognize that, but I hope the member will appreciate that I cannot answer in any significant detail. It is not because I am trying to be particularly evasive or difficult. It is for the simple reason that the cabinet has yet to make a final decision, the legislation is not yet before the House, and until such time as it is, I do not think it is fair for the member to draw any particular conclusions or for us to have a speculative debate. I think it is better that we have a debate on the substantive matter which will be before the House.

1430

**Mr Runciman:** I am not looking for details of the plan as it is going to come forward. I am asking the Premier if indeed he is going to be true to his commitment, the commitment of his minister when he was a backbencher, the commitment of the former minister, certainly strongly the commitment of his party during the filibuster here last year, a very strong commitment to restore the right to sue—apparently at that time, we believed, a very genuine concern for the innocent accident victims in this province.

That is all I am asking him, and apparently now we are getting obfuscation. We are certainly not able to get a straight answer from this Premier. I do not know if he is collapsing to the pressure of the insurance industry or the no-fault troika on the front bench, as I have described them. Something is happening, and the Premier is not prepared to give us a straight yes or no whether indeed he is prepared to keep a commitment he made to the people of this province.

I want to read another quote to him and put it on the record again, again a question to Mr Peterson:

“Surely it is noteworthy that when you ask the Premier of the province whether he was telling the truth on a given day, he cannot even answer yes, let alone no. He cannot give us an answer one way or the other. It is a very simple question. When he made that statement to the people of this province, was he or was he not telling the truth to the electors of Ontario?”

I want to throw that back to the Premier. When he made the promise to restore the right to sue, was he or was he not telling the truth to the people of Ontario?

**Hon Mr Rae:** I have been dealing with the insurance issue in this House for a long time, and the House will have yet another opportunity in a few weeks to deal with this issue. The member will have the opportunity to make an assessment of the scheme, of the proposal that is put forward by the government, and so will others. They will have an opportunity to judge it; so will the electorate. Obviously, we stand or fall by the electorate.

# ONTARIO PUBLIC SERVICE SETTLEMENT

**Mr Stockwell:** My question is to the Chairman of Management Board. Just recently they announced they have settled with the union for the province of Ontario at some 5.8% increase over last year. What would that cost the taxpayers if they include all the grossing up, the merit increases, etc?

We all know that 5.8% is the settlement amount. I do not think that was a particularly good settlement. I think it is too high, considering the economic conditions we face today as a province. The Chairman of Management Board obviously thinks the figure was a good settlement. Otherwise, she would not have signed the document.

The key question is, what is it going to cost the taxpayers from last year to this year on straight payroll for union people working for the province? The cost of living allowance is 5.8%. Including merit increases, etc, what kind of percentage increase can the taxpayers be looking forward to?

**Hon Ms Lankin:** I do not have the actual figure of the merit increase here. My recollection is that between steps on the grid it is something like a total cost of 0.3%, but I will check that out and I will get that answer to the member. I think that would bring the total cost in any given year to around the 6% figure if there is a 5.8% cost of living increase. However, as I said, I will verify it and I will get the answer for the member.

**Mr Stockwell:** We are dealing now with an over 6% increase. If we are talking 0.3% and 5.8%, we are over 6%. We have 1,600 job losses per day in this province. Local municipalities are negotiating today for settlements ranging between 4% and 5%. Management Board has now become, at 6%, the high-water mark. Everyone will be looking for that type of increase in the public sector.

As I said, there are 1,600 job losses per day. How can she justify this to the taxpayer, the beleaguered taxpayer who has been overridden by tax increase after tax increase, the jobless who are being forced out of their jobs because of plant closures, etc, those who are being laid off, with no increase, plus a tremendous number of workers out there in the province of Ontario who are doing with no increase this year because of the economic recession? How can she justify this to all those people who have lost their jobs, are getting no increase, and they can see the fat cats at Queen's Park offering a 6% increase to their workers, who are totally oblivious of the recession? What does she say to these poor people when they are looking for food to put on their table?

**Hon Ms Lankin:** I actually appreciate the opportunity to address this issue, because the member was referring to the article that was in the Sun on Friday, and I thought it was unfortunate that the research for the article did not provide answers to some of the questions he is putting forward in terms of the comparisons and what economic indicators should be looked at and how you justify wage bargaining in the public sector. Particularly with respect to a couple of the comments the member made, I think it is important for him to look at the history of this.

The article seemed to suggest that in fact this was a news item, that something had just happened. The decisions that



were taken with respect to an appropriate area of settlement were taken back in the beginning of November. That includes looking at things like, in the public sector, where you have no right to strike, where you proceed to binding arbitration, what an arbitrator would look at, what he would likely award. That means you must look at things like economic trends and the level of wage settlements and comparison of OPS to private sector, some of the things the member just said. Unfortunately, the numbers he is putting forward are incorrect.

As I indicated, we looked at this at the beginning of November. The actual settlements in the OPS started in December—the first four or so came in around the middle of December—and range from 5.78% to 5.8%, and those are the operative figures.

I think at that point in time you need to look at the prediction for inflation. The Treasurer in the economic statement looked at 6.1% for Ontario. In fact, federal forecasts at that point in time were ranging from 5.9% to 6.4%. It is often accused that public sector wages can be inflationary; 5.8% comes in below that. It is not an inflationary pressure.

More important, the member needs to look at the very issue he was raising with respect to wage settlement trends. At that point in time what was out and reported were third-quarter settlement trends, and in the private sector, again at that point in time, they were running at 6.9%, and in the fourth quarter when they were finally reported out they came down to 6.1%.

Those were the figures we had to look at, but you also have to project forward. At that point the federal government was not even acknowledging that there was a recession. In projecting forward, I think it is important for you to look at what is happening right now, and these are comparable figures, but unfortunately I do not think the member has the right ones.

If you look at public sector settlements in the first two months of 1991, the figure is 6.6%. If you look in February, for all settlements in bargaining of private and public sector the figure is 6.6%. So in fact the negotiated settlements we have reached are responsible, and I think because they are such large bargaining units they will in fact help bring settlement rates down.

However, the other point the member raised with respect to what has happened to the economy, the dramatic turnaround and where we are headed will certainly be major guiding economic trends and factors that will be considered in the round of bargaining that we are preparing for now.

**Mr Stockwell:** That may be very well and good for the reality of the minister's seat today. I do not hear anybody in the private sector quoting me those kinds of numbers and suggesting that the public sector should be receiving 6% increases in salaries during these recessionary times.

She can tell me she set the trend in November. If she is telling me she set the trend in November for 6% increases, that is irresponsible and unacceptable. The people who have lost their jobs, the people who are getting no increase, do not consider it to be reasonable for government to ex-

pect a 6% pay hike for the union people. In fact, I am not so sure if the minister's mind has crossed the bargaining table, because she is not talking as if she is representing the taxpayer, she is still talking as if she is representing the unions she used to represent.

In the face of the reality of today—and the reality today is that there are many job plant closures, people getting laid off, people who are not getting increases—the local municipalities in Metro are talking about a 4% to 5% increase. She is leading those when it comes to settlements with local municipalities.

How can the Chairman of Management Board isolate herself? How can she stand here and rattle off statistics that are totally meaningless to the person who has been laid off and has no way to feed his family? How can she accept these kinds of tax hikes to the taxpayers, who cannot afford to pay them?

Six per cent is too high. If she goes to the towns and she asks her members to go back to their communities and tell them to sell a 6% increase, it would be resoundingly unacceptable. Is she prepared to defend to the people of this province a 6% increase in cost of living and merit increases for the unions of Ontario when they are not having any food to put on their table because this government has been inactive in creating jobs? There are 1,600 job losses a day. That is not putting food on the table. When can they expect to see this government tighten its belt and fight the recession, help the private sector fight the recession?

1440

**Hon Ms Lankin:** The member asked, "How can you isolate yourself as a government?" In fact you cannot, you cannot at all, and that is the very fact that I was trying to put forward to him. In a system of collective bargaining in which you must go to arbitration as a final dispute resolution mechanism, an arbitrator must look at things like the cost of living, the economic trends and the settlement trends. Those figures drive a certain perspective of what that settlement will be. The member is completely ignoring that.

The other thing I would say is that the member is misrepresenting the actual figures that are out there and what we had to look at; and to indicate that at the point in time in November when we started into bargaining the kind of economic downturn was completely understood, I think the member is entirely wrong. Again I will say the settlements were in December that that rate was set for the public sector and the OPS.

I do, however, seriously want to respond to the concern he raised with respect to the economy now, to the number of people who are losing their jobs, to the very real crisis we are trying to respond to through a number of measures, through the preparation of the budget. I agree with him that with respect to collective bargaining in the OPS, as we enter into preparation for the collective bargaining session for the next year, in fact all of these points will drive the negotiations and will drive that settlement figure, I think, to a considerably lower rate.



## SOCIAL ASSISTANCE

**Mrs McLeod:** It would appear from Friday's press that the Premier has now rejected any possibility of assistance for municipalities that are faced with explosive increases in their welfare case loads. He has apparently said that there will be no quick payouts.

I think we all know the numbers only too well. In Metropolitan Toronto welfare cases have grown by 83%, in Dufferin welfare cases have grown by 120%, in York region they have grown by 100%, and the burden of this growth is being passed directly on to local ratepayers.

As the municipal cost for social assistance grows so rapidly, it becomes impossible for the municipalities to have any flexibility in providing the emergency assistance programs that are so badly needed, and as a result of that, the increase in use of food banks is being clearly seen.

I would like to ask the minister a question we have asked before and are going to continue to ask: Will she at least commit to paying some increased share of welfare costs, or has the Premier now had the last word on this subject?

**Hon Mrs Akande:** Actually, we have been for quite some time picking up considerable assistance for the municipalities. We did that when we announced our first increase that came in in January, where we picked up the total cost of the increase on the increase. We have done so in many of the measures.

We increased the number of workers who would facilitate moving from general welfare assistance to FBA so that those costs would be picked up entirely by the province, rather than any of those costs continuing with the municipalities. We have made recommendations to the municipalities and told them to suspend their home visits so they could move people on and then off the FBA much more quickly. We have made it possible for them to allow people to return to social assistance on FBA without first going back on GWA after they have had some brief period at work. I could go on. We have been giving quite a bit of support to the municipalities and we shall continue.

**Mrs McLeod:** I know the minister is very well aware of the number of recommendations that have been made to her from different sources that would provide for some immediate relief to municipalities and to people who are now on welfare, and I find myself wondering how we can get past the words to grasp a sense of the reality of this crisis.

I wonder if it is impossible to ignore the fact that those who are most impacted by the recession are probably children and young people. Metropolitan Toronto released a report on Friday suggesting that almost 26,000 children in the Metro Toronto area are now receiving general welfare assistance. During the standing committee on estimates, the minister herself indicated that 338,000 children were now dependent on social assistance in Ontario, and we know that 80% more children in Metropolitan Toronto are now using food banks than were using food banks last year.

Surely we would all agree that relief is absolutely necessary now. This government will not commit to spending

just \$5 million out of the \$700-million anti-recessionary package to put opportunity planning pilot projects in place. The government will not commit to providing assistance to municipalities in meeting the increased costs of welfare. Instead of committing to enhancing the cost sharing for emergency assistance programs, the government's proposal was to provide \$1 million to food banks that said they really did not want that, and now the Daily Bread Food Bank has fallen short on its food drives and is talking about rationing food.

I simply ask the minister, how can she continue to avoid dealing with this issue? What commitments is she prepared to make?

**Hon Mrs Akande:** I feel very, very sorry that I have to continue to repeat that we have heard the cries out there. We are responding to the needs that have been mentioned by the member. We have continued to address the problem in several ways. The recognition that so many children are in need is what has brought us to the point where we have moved very quickly to get the kind of assistance that is necessary for single parents, and that bill or that move is held up in committee by the opposition. That would bring thousands of dollars to parents who need that money.

The other focus is the \$1 million that the member refers to; that was given to food banks to come up with creative ideas that they wanted to address. That money was received well by some who requested it and denied by others who did not.

## SKILLS TRAINING

**Mrs Cunningham:** My question is to the Minister of Colleges and Universities and Skills Development. Recently the government has been making some efforts through its unemployment help centres to boost the programs for skills training for the unemployed people in our province.

Last week the president of the Ontario Federation of Labour told the annual meeting of the London unemployment help centre: "All of the skills or all of the education we can provide for workers or others is virtually useless unless the economy has the capacity to provide enough jobs for them to go to." We all know who was in the audience.

The Premier spoke to the Ontario Teachers' Federation on the weekend and said: "Education and retraining are the key to better times."

Surely these remarks are very contradictory. I ask the minister to explain why the Ontario Federation of Labour is contradicting, I think, what the Premier wants in retraining for young people and unemployed workers in our province. I am giving him a chance to explain.

**Hon Mr Allen:** I thank the member for the question. I see no contradiction between a statement respecting the need for jobs for people who are trained to go to and the assertion that it is necessary to improve and enhance training and education for young people, and for older people indeed, to enable them to access the labour market. Those two go hand in hand. They are certainly the bipolar elements of this government's strategy with respect to the economy.



In my own capacity as Minister of Colleges and Universities, my responsibilities lie in the training and education end of that equation. The member will know that we did everything we could to maintain the level of post-secondary funding for that purpose, for the colleges and the universities of this province, that we are actively negotiating enhanced funding from the federal government for all the training initiatives in Ontario, and that we have recently provided funding for laid-off apprentice programs that would enable laid-off apprentices to continue as apprentices in their training in order to take advantage of returning good times, we would hope. We have also provided funding for technology enhancement programs for technologists and technicians and for pre-apprenticeship programs out in the workplace.

There is a whole series of initiatives we are taking to enhance the training side and to enable us to regain our prosperity through that avenue.

1450

**Mrs Cunningham:** I take objection to the words "virtually useless," which were used by the president of the Ontario Federation of Labour when he was talking about skills and education. I just hope the minister will have a little chat, because I do not think that is the kind of message we want across Ontario. In these times, I believe we should be saying all the positive things we can to people who are looking for opportunities to retrain, and that is the point I am making.

I would also like to bring to the attention of the minister, with regard to these help centres, that we also have community industrial training committees that have been in Ontario, I suppose, since the late 1970s. They have been the backbone of the advice that school boards, colleges, universities and the government get from the grass-roots community.

I want to read from a letter that was sent to Gordon Wilson, president of the Ontario Federation of Labour, by the southwestern region chairperson of the community industrial training committee. He said:

"Community industrial training committees were formed in 1979 as advisory committees to the government and the colleges on skills training needs in the metal cutting trades. Business, industry, labour, education and government were invited to participate in these local voluntary organizations. Only labour declined this opportunity to influence training decisions. Labour did not support local decision-making on training issues."

I was a member of these committees over a number of years in London, and we did not have the kind of support we wanted, but I must say it has begun to turn around.

This particular chairman writes:

"Suddenly, in 1990, the Ontario Federation of Labour has come forward as an active and adamant opponent of the community industrial training committees."

What is the minister prepared to do to ensure that all parties, labour, unions, business and education, are included in all training strategies and programs in this province?

**Hon Mr Allen:** Everything I can. Quite clearly, any new training structures in Ontario have to be representa-

tive. The problem is not that the labour movement does not see the need for local training councils; it is that with 57 of them out there at the moment, they have a very hard time providing appropriately trained personnel on training issues in order to staff all the representative positions that need to be there. It is not a question of not wanting local delivery mechanisms.

I assure the member that we are currently very actively involved and that by the end of this month must have in place a clear alternative for local delivery mechanisms in order to continue our negotiations with the federal government on the Canada-Ontario agreement on training. That will have to designate the nature and character and the representativeness and functions of the local delivery mechanisms that will have to be part of the Ontario scene in the future.

I assure all members of this House that those bodies, in order to be effective, will have to use the services of those who are energetic and involved and engaged in training locally, and at one and the same time they will have to be representative in order to be effective.

#### ACCESS TO LAKE SCUGOG

**Mr Mills:** My question this afternoon is directed to the Minister of Natural Resources. A few days back, I met with the native people who are members of the Mississauga first nation of Scugog, in my riding. We discussed a number of issues. The topmost issue facing that group of people is access to Lake Scugog. At the moment, they are landlocked. They have no access to the lake to carry out the things that naturally are theirs; that is, fishing and hunting. What is the minister doing to facilitate access to the water on provincial crown lands adjacent to the reserve for the Scugog first nation?

**Hon Mr Wildman:** I thank the member for Durham East for the question. I know of his interest and the visit he had with the Mississauga first nation of Scugog Island. That first nation is a member of the United Indian Councils of the Mississauga and Chippewas First Nation. The provincial government is expecting shortly to be receiving a formal proposal to initiate discussions regarding issues of land and natural resources from the united councils. I understand water access for Scugog will be one of the issues that will be addressed in that formal proposal, and we hope to initiate discussions as soon as possible. We are looking forward to receiving the proposal.

**Mr Mills:** That was a very fine answer and I appreciate it.

#### GARBAGE DISPOSAL

**Mrs Sullivan:** My question is to the Minister of the Environment, and I am asking it specifically of the Minister of the Environment and not the minister of the greater Toronto area. The minister will know that we on this side of the House support the concept that citizens of the province have to be aware of and involved in solutions to the waste crisis, particularly 3Rs-related solutions, and that the solutions have to be environmentally sound.

We were surprised, however, that last week the minister responsible for the GTA ruled out several potential options



and solutions without the opportunity to have them subjected to the rigours of the environmental assessment process. The decision to process garbage from the GTA within the GTA is a decision based on a philosophical position and not on science or environmental integrity.

I am asking the Minister of the Environment if as Minister of the Environment she will guarantee and insist that whatever interim sites may be selected in the GTA will come not because of a political decision but will be subject to a full environmental assessment.

**Hon Mrs Grier:** I am sure the member is well aware that I have ruled out the interim sites for waste within the GTA that were part of the original plans of the previous government. Under that government, interim sites were to be selected for a four-year period without a full environmental assessment but through the Environmental Protection Act. The plan of this government is to get significant reductions in the amount of waste that has to be disposed of and then to find a long-term site. That is the plan with which I am proceeding.

**Mrs Sullivan:** The minister may not have been in agreement with the previous Minister of the Environment's plan to have interim landfill site approvals done through the Environmental Assessment Board under the Environmental Protection Act. That process did, however, assure the public of consultation and that sites would be chosen based on environmental suitability. The minister has promised nothing, no environmental assessment, no environmental protection, only the use of back-pocket emergency powers.

My question is straightforward. Will the Minister of the Environment commit to this House that any expansion of existing sites or any interim sites which may be required will be subject to the full scrutiny of the Environmental Assessment Act?

**Hon Mrs Grier:** I want to point out to the member once again that there are two approaches to this issue. The approach we are taking is a system-wide, long-term approach that puts waste reduction first and puts the site selection process for a disposal site under the Environmental Assessment Act.

In the implementation of that long-term plan I have recognized the possibility that we might run out of capacity within the GTA before we have the long-term site available. I do not plan for that. I hope that will not happen. It would be irresponsible of me not to acknowledge that it could happen, and for that reason I have asked a task force within my ministry to come up with all possible alternative solutions to that situation should it arise. When I am in possession of all the information that is available as to what those alternatives might be, I will share them with the member.

#### ENERGY CONSERVATION

**Mr Jordan:** My question is for the Minister of Energy. Albitibi-Price established its last two paper mills in Alabama and Georgia rather than in Ontario. This represents a loss of 300 skilled jobs to the province. One of the major reasons for locating in the United States was the future shortfall of available electrical energy supply in Ontario.

Recently the chairman and president of Ontario Hydro resigned. Can the minister tell us how many megawatts of power have been made available through conservation to date?

1500

**Hon Mrs Carter:** I would just like to point out that our policy has had no effect on the supply of energy in this province in any negative sense and certainly will not do so for many years to come. Any nuclear power stations that might have been started at the end of the demand-supply plan hearings would not have been started for several years. So I fail to see why any firm should be making decisions of that kind at this time.

**Mr Jordan:** My question first was how many megawatts of power had the minister made available to the province through conservation and how does she cope with the president of the major power users of Ontario coming forward and saying there is a gradual movement of business development out of Ontario? This is currently in the form of hiring out plant expansions outside of Ontario. When will the government come forward and tell us the megawatts the minister has made available through conservation and give us some direction to restore confidence in this province?

**Hon Mrs Carter:** It is impossible to accurately measure how many megawatts are made available through conservation at a given time. However, it does happen to be a fact, and we do not know to what extent this is due to the recession and to what extent it is due to conservation, that power use in this province dropped 2.9% last year and has dropped for the first few months of this year. There is certainly no impending power crisis. We have many standby possibilities of bringing more power on stream at short notice. If the member opposite can point to me and prove that any firm has left this province for the United States because of a fear of impending power shortage, then I would like to see that proof.

#### MOTION

##### PRIVATE MEMBERS' PUBLIC BUSINESS

Miss Martel moved that notwithstanding standing order 94(h) the requirement for notice be waived with respect to ballot item 12.

Motion agreed to.

#### PETITIONS

##### AUTOMOBILE INSURANCE

**Mr Mahoney:** I have a petition here signed by 106 people who have simply sent this in saying, "We say no to government-run auto insurance." I would like to present that. Those are, by the way, mostly from the Windsor and London area.

I then have a petition signed by 3,602 residents of Mississauga West and surrounding areas and even as far away as Ottawa. Those are 3,602 residents who have sent a petition for our office to give to this government to tell it, if the minister is listening, that they are opposed to government-run auto insurance.



## NURSING HOMES

**Mr Brown:** I have a petition addressed to the Lieutenant Governor and the assembly and it says:

"We, the undersigned, are most concerned about what we consider to be inadequate provincial funding to Ontario's nursing homes. We urge immediate action to correct this situation." I will just sign it.

## ANIMALS FOR RESEARCH

**Mr Tilson:** I have a petition against cruel product testing. This is a petition of 74 signatures:

"Whereas each year in North America thousands of animals suffer and die slow, painful deaths in laboratory tests of cosmetics and household products;

"Whereas these tests are cruel and not required by any provincial or federal law;

"Whereas safe alternative methods of testing such products do exist, methods that do not involve the use of animals but do provide reliable results;

"We, the undersigned, petition the Parliament of Ontario to pass into law a bill prohibiting the use of animals in cosmetic and product testing."

## NURSING HOMES

**Mr Tilson:** I have a petition from the staff of the Avalon Care Centre in Orangeville. It consists of 94 signatures:

"Whereas we, the staff at Avalon Care Centre, are a very committed, caring staff who work hard at providing quality care for each and every one of our residents; and

"Whereas due to the government funding homes for the aged at a much higher rate than nursing homes there is no equality for the staffing of both facilities;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand equality in funding and staffing between homes for the aged and nursing homes."

I have a petition from the residents and families of Avalon Care Centre which consists of 49 signatures:

"Whereas we, the residents and families at Avalon Care Centre, are very concerned about the funding inequities of nursing homes in the province of Ontario; and

"Whereas it is our understanding that the government funds homes for the aged at a much higher rate than nursing homes;

"We the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand equality in funding and staffing between homes for the aged and nursing homes in order to meet the increasing needs and maintain the quality of life of nursing homes."

## INTRODUCTION OF BILL

WORKERS' COMPENSATION  
AMENDMENT ACT, 1991LOI DE 1991 MODIFIANT LA LOI  
SUR LES ACCIDENTS DU TRAVAIL

Mr Wessenger moved first reading of Bill 68, An Act to amend the Workers' Compensation Act.

M. Wessenger propose la première lecture du projet de loi 68, Loi portant modification de la Loi sur les accidents du travail.

Motion agreed to.

La motion est adoptée.

**Mr Wessenger:** This bill would amend the Workers' Compensation Act by creating a rebuttable presumption in the case of health care workers who contract a blood-borne disease and who handled or came into contact with human bodily fluids in the course of their employment that the disease was due to the nature of their employment.

## ORDERS OF THE DAY

House in committee of the whole.

RESIDENTIAL RENT REGULATION  
AMENDMENT ACT, 1991

Resuming consideration of Bill 4, An Act to amend the Residential Rent Regulation Act, 1986.

Section 9:

**The Chair:** We ended the debate on Thursday. I believe we were at a motion moved by the member for Eglinton. Are there any questions or comments?

**Ms Poole:** Mr Callahan had had the floor just as we adjourned the debate.

**Mr Callahan:** At the outset I would like to say that in the three minutes that were left on the clock that particular evening, I had made a comment about the Minister of Housing. He assures me that his laughing was not as a result of my comment about the disabled, and therefore, being an honourable member of the House—as I consider all members of the House to be honourable—I would withdraw that statement on his assurance that that was not the case.

I do however wish to say that as we debate this bill and as we deal with the question of rent regulation, the major issue as I see it in this province, and I think as is seen by many people who do not have the benefit of any type of housing—who are in fact sleeping on the streets in this city, are sleeping on the streets in towns throughout this province—is to get on with the question of providing the housing that will accommodate them.

We talk here about the question of regulating rent. That is for people who are lucky enough to have a place to live in. While we spend time doing that, as I say, the government is not fulfilling its obligation, as it promised during the election and which is important not just to the government but to every member of this Legislature, that adequate and affordable housing be made available to these people.

1510

If we continue to pass restrictions and regulations, particularly when they are retroactive—it is a principle of English common law by which this province has abided, as well as other provinces of this country, that you do not take away something retroactively from people. In fact, that is what this bill has done. This bill has deliberately and retroactively abolished or demolished the plans of small landlords particularly in terms of the renovations



that they carried out with a view to making the accommodations more acceptable to their tenants.

Now, we all know the horror stories about those few landlords who have in fact gouged and have obtained very high rent increases—and more often than not, and more specifically, those who have done it not in a vein of upgrading the accommodations but in a vein of simply being able to enhance the value of that building in order to flip it to another owner. Those people are certainly people no one in this House, or for that matter no one in Ontario, would view with a great deal of happiness. These are people who will have to, I suppose, live with their own conscience. But we are not talking about that. I did not sit on this committee, but from what I have heard in this House, the numbers of landlords in that regard were very small.

So this government, in its efforts to deal with this issue, is using a sledgehammer to kill a relatively insignificant problem. Although many people will not understand it and perhaps view this as a good act on the part of the government, they will change their minds as the accommodations they live in are run down and are allowed to deteriorate to the extent where they are no longer habitable.

Housing is something that I am sure the minister understands and I am sure this House understands and I think most people in Ontario would understand is not something that you can create instantly tomorrow or you can refurbish or you can bring back up to a level of habitability.

If in fact this does occur—and it has been suggested by members of this House that this is what will occur—we are going to be faced again with a crisis situation where people are going to be living in accommodations which are not acceptable. If on the other side of the coin the government is not taking any steps to provide affordable housing to deal with the homeless, to deal with some of these people who perhaps will find their accommodations no longer to be habitable, we are going to have an even more major crisis.

I suggest that the government, instead of constantly making an effort to see bogymen when they are not there, to create a problem and make it look greater than it is, should be looking at an effective way to try to create housing for all the people who are presently in Ontario and all those people who are coming on stream as it were, the young people. Young people will not be able to afford housing.

We are finding today that the food banks are another issue that this government has failed to address. They have not put forward any significant or positive way of dealing with that. They throw money at it and think that is a solution. We are finding that some people who are now coming to food banks are young couples who have a \$200,000, \$300,000 mortgage. By the time they finish making the interest payments on that mortgage, which probably never gets a dent into the principal, they are coming to the food banks. They are coming to the food banks for food for their children, and that is not being addressed. It is not being addressed at all by this government. This government seems to think that food banks are just something that should stick around for ever. I suggest to the government that until it realistically addresses the question of

housing and stops creating barriers to affordable housing, it is in fact going to make this problem even greater.

I suggest that there are lots of solutions to food banks, just to address that as an aside to this entire issue. There are marketing boards in this province that require only a certain amount of food to be marketed. What happens to the stuff that is not being marketed? Surely that could be used through some form of non-profit corporation for people to open their own supermarkets and have the government give them seed money sufficient to operate and start working on their own. Make it accessible only to people who are on welfare or on family benefits. The government could do that in a credible way, in a humanitarian way, by providing them with cards that would identify them as people who could participate in that particular type of co-op operation.

But this government does not look at that. They do not look at the housing issue; they do not look at it realistically. They seem to think that the instant answer is to punish those so-called people who are gougers.

I have heard some of my colleagues in this House and I have read some of the Hansards showing there were a lot of people, seniors particularly, who had invested their money in perhaps a triplex or a fourplex, and this was their investment in their retirement, who are going to be detrimentally affected by particularly the retroactive provisions of this bill, and certainly the question of a government being in a position to set the rate every year.

Who is going to invest in an atmosphere like that? It is bad enough that we have to suffer the slings and arrows of Mr Crow and the Bank of Canada in terms of interest rates and be subject to what he says will be the case or will not be the case. That creates a bad enough economic environment to begin with, but when the government is telling the landlords of this province that every year the government, in its paternal wisdom, is going to set the rate at which rents will be allowed to rise, I suggest to the minister that in fact what the government has done is it has created an impossible situation for them in that they have no way of knowing what the return on their investment is going to be.

It becomes a political football. It becomes a political objective. In times when the government's popularity is up, it may perhaps allow a reasonable return. In times when its popularity is down, it is going to try to put pressure on, or when the Treasurer is running out of funds or feels that the rate should be less, it is going to be less. When you put it in the hands of government, you put it in a political arena. Obviously it is being reflected in terms of the decisions that are made being political decisions. I do not think anybody, the landlords or the tenants of this province, should be affected by what are political decisions.

I think there should be a process whereby people can be fairly dealt with in terms of rent increases. I think there should also be a process whereby repairs can be kept up on these buildings. Surely the government does not throw out the system because it says it does not work. What it does is to try to fine-tune it. Well, the minister did not try to do that.

What the minister did instead was, he said: "We don't know how to solve the problem. We don't know to deal



with it. So here is what we're going to do and this is in accordance with our promises during the election," which were sexy, let's face it. Most tenants would look at it and say, "Hey, that's a pretty good deal."

However, I suggest that the government has not addressed the major solution, and I urge this government to look at it. Some of the Toronto members who were here during the week should take a walk downtown and see the young people, the seniors, all manner of people who are sleeping on the streets. I walked past one woman who used to keep herself warm at the vent to the athletic club that is on Wellesley Street, I think. She would sleep right by it during the wintertime so that she would not freeze to death.

What are we doing about them? Are we encouraging an economic atmosphere where there is going to be building by the private sector? No. Has the government got enough money to do it itself? No. Do we hear the Treasurer rushing out and throwing money around to develop affordable housing? No.

I suggest to members that the problem of the lady sleeping at that pipe at that athletic club to keep herself from freezing is going to become even greater. Perhaps we will run out of areas where these people can sleep and keep themselves warm for the winter. It is a problem that perhaps is going to get a little bit of relief now that the weather is getting warmer, but we better prepare for next winter, when there are people in fact who are going to freeze to death in this city and throughout the province in various towns and villages.

1520

I do not know how any responsible government member or any caring legislator could possibly walk by those people and say to himself or herself, "Well, that is their tough luck." That is really what members are saying by not doing anything about it. They are leaving these people to be the flotsam and jetsam of the world. I think the government has a responsibility to deal with that issue.

Housing and environment are issues that are common, that are important to this province. There should be areas where we could get together and perhaps come up with solutions, not having this fundamental attitude that government should do everything and that the private sector should be totally left out in the cold. That is not appropriate. Government can no longer do that. Government does not have the money to do it.

We have all seen how people react to additional taxes and we are all waiting with bated breath to see what the Treasurer is going to do in terms of trying to bring further revenues into the coffers so that we can deal with some of these problems. But surely the mindset of the government cannot be that Big Brother should do it all and that the public sector is the only route to go. If they create that mindset and if in fact they run with that mindset, they will scare any type of free enterprise out of this province. Eventually you will nothing from which they can reap the taxes to try to create the benefits that they say the public sector can create. So I suggest to the government that it better start changing its approach in terms of how it solves

the needs of the people of this province. I think it also has to put on a priority level what those needs are.

We have seen the Minister of the Environment do a complete, 360-degree turn on environmental issues. The environment is probably listed, to be totally political, as one of the highest on the level of political importance. Yet what is being done? Nothing. In fact, the decisions that were taken by the former government have now been reversed totally, and with great accolades from the people outside of Toronto, because they think that is great. But it is so unrealistic that there is not a possibility in the world that it will ever be carried out.

So I suggest to the member of what is purported to be a caring government, at least in its Agenda for People and the things it put out during the election, that they start looking at the sensitive areas and start looking at how to address them and stop looking at it with a mindset that simply says the government has all the answers, because it does not. They need co-operation from the private sector. They need a reasonable approach to it. They need to create an environment that is going to make the private sector feel comfortable and allow it to assist in a partnership with government to solve a lot of these problems that we have.

I am sure there are a lot of my colleagues who would like to get into this debate. For that reason I thank you, Mr Chairman, for the opportunity of addressing the House on this particularly important issue.

**Hon Mr Cooke:** I just want to respond to the member by first of all saying I appreciate what I assume was his apology for the comment that he made last Thursday. I accept it in the spirit in which it was said and I appreciate it.

One comment that he made during his speech or comments on this amendment is just totally inaccurate. It is not as if nothing else is happening in the Ministry of Housing while we are dealing with the rent bill. For one thing, we have taken steps to provide for the most aggressive approach to the provision of social housing that this province has ever had in the history of the province. We will come close to allocating all 30,000 units under the Homes Now program.

When I became Minister of Housing we would have been lucky, if we had followed the policies of the member's government, to achieve half of the 30,000 that his government had promised. They were not happening. So through an aggressive program of reallocation, removing an allocation of housing from somebody who is not able to meet the 30 September deadline, which we extended, which the member's government had refused to do—we extended it from 30 March till the end of September—many of those units are going to be built and there will be more social housing provided in this province for the people who need it than has ever been the case.

In fact, at one stage or another under the Homes Now program, the federal-provincial program and a couple of other provincial programs, there are 35,000 units in the planning stages in this province right now under those existing programs. So we are doing the best job we can, and it is a rather aggressive program to try to get that housing on the market as quickly as possible.



At the same time, we are developing our discussion document for supply on the long-term basis which will be released soon. We are looking at basement apartments and we certainly look to whatever position the member's party might be taking as an opposition party on basement apartments, because there has not been a consistent expression of either support or opposition from his caucus on this issue.

We are looking at the whole range of housing issues such as Ontario Housing Corp, so that we will have a housing strategy in this province for the first time that will look at all aspects of housing. Rent control is one of those aspects, one of the areas that has to be dealt with, and we are doing that. But to say that everything else is being neglected, just because the member is not up to date on what is happening in the Ministry of Housing, does not mean that what he says is so. In fact, what he says is totally and completely wrong and does not reflect the facts of the situation at all, and his party's critic knows it.

**Mr Turnbull:** I want to speak about this question of retroactivity. I find that retroactive legislation is repugnant and it should be rejected by all fairminded people. I would particularly address this to my friends across in the NDP benches. Retroactive legislation is unfair at all times, but it is particularly unacceptable when it reaches back some four years before this government was elected. Phase-in orders which had been granted up to four years back will be nullified by this legislation, even though these landlords were in complete compliance with the existing legislation.

What should the investor do about investing in this province? What sort of message do we send out when we pass retroactive legislation? I would suggest that the kind of message that we send as legislators is much more serious than the ad that appeared in the Wall Street Journal suggesting that people should not have confidence in investing in this province. I say this to all parties, my own party included: We should reject the idea of retroactive legislation.

In defence of this retroactive legislation, we have heard the Minister of Housing mention on several occasions that this is not the first time a government has brought in retroactive legislation and has spoken of the fact that all parties have brought in some degree of retroactive legislation. I did a little bit of research on this, starting with the Residential Premises Rent Review Act of 1975. It received royal assent on 18 December 1975 and in fact its retroactive provisions went back to 29 July 1975, some four and a half months back in its retroactivity.

The next piece of legislation, which was also a Conservative piece of legislation, brought in in recognition of there being a problem with respect to the famous Cadillac Fairview flip, received royal assent on 21 December 1982 and was retroactive back to 31 October 1982, some two months retroactive. The Residential Tenancies Amendment Act received royal assent on 20 December 1985 and was retroactive back to 1 August 1985, which is four and a half months.

What we find with Bill 4 is that it is retroactive as much as four years back. How can anybody possibly plan his investments if governments change their minds? The

investments were made and structured within compliance of the then existing legislation, Bill 51. If people who have, in every respect, ordered their affairs and, in many cases, had received phase-in orders, are told after the fact, "You're not going to get that," now this creates a particularly serious problem when you encourage people to invest their money. In fact, I would suggest that when governments bring in legislation, and a very complex and very all-embracing legislation, as Bill 51 was, then it does encourage companies and investors to order their investments in a specific framework.

1530

As mortgaging comes due for these buildings, the owners are unable to replace the financing. Indeed, it has been suggested that there has been a reduction in the value of buildings by as much as 25% or 30%. It has been suggested by the Minister of Housing that this was purely due to the fact that we have seen a drop in the value of real estate. This is fallacious, and I will tell members why.

With all other real estate—and we are talking about investment real estate—that dropped in value, it dropped due to the increase in vacancies and the unsurety that you would be able, even if you had a full building, to replace tenancies at the same rate that you had. This is not the case with this Bill 4. We have a very, very low vacancy rate, particularly in the Metro area, so it was purely a legislative act which reduced the value of the buildings. It was not anything to do with the functioning of the market. Any suggestion that it is anything to do with mortgage rates is incorrect, because we have seen much higher mortgage rates prior to this and it did not negatively affect the real estate, simply because you have controlled it in such a way that there was pass-through.

So all of those people who have ordered their affairs in such a way that they were in compliance with the legislation are now told, "You cannot get the money." I want to break the aspects of retroactivity into three areas. You have one which was the phase-in orders. These were people who had bought buildings and over a period of years were allowed up to a maximum of a 5% increase per year in the gross rents, to the maximum of five years. If you compound that out, that is a maximum of 30% over the five-year period, which is still substantially less than other real estate vehicles have been increased by and in fact almost any other comparable investment vehicle.

So even with the clause allowing financial loss, we found that real estate was increasing at a rate which was less than all of the other investment vehicles, even though it was a very management-intensive form of investment. Indeed, many of our small landlords who invested in real estate were immigrants to Canada, who had an abiding belief that in Canada you could put your grubstake into real estate and you would be safe for your old age. Many of the small landlords in this province who invested in a single building, put their life's savings into it, now will face total loss of their life's savings.

**Mr Bradley:** They didn't know the NDP was going to be elected.



**Mr Turnbull:** Indeed, they did not know the NDP was going to be elected. In fact, it is amazing, during the Bill 4 hearings, how many of the landlords came forward, small landlords, and said they had voted for the NDP and felt betrayed by the fact that their life's savings were in danger. These are typically people who do not have a pension fund. This is the only money they have.

With respect to the other areas of retroactivity, we are talking about money which had to be invested in the renovation of the building to keep these buildings safe and sound. The legislation very clearly suggested that you must spend the money before you could go and claim it back. It has also been suggested that there is some comparison with retroactive legislation for wage and price controls. I would like to prick that myth.

Wage and price controls, whether you like them or not, got at that year's income, but nobody had suggested to the people in advance that they should go out and buy something, that they must have bought something in order to qualify for the wage increase. This is not the case with capital costs. You must have expended them and substantially have completed them if you want to be able to claim them. So people went out, borrowed money from the banks and then did the repairs and, typically, this money was lent on a temporary basis to be consolidated into permanent financing after the rent increase, which was legally contemplated under Bill 51, was passed through.

I am saying this very much from the heart: that every single party, the NDP, the Liberals and the Conservatives, should consider the fact that retroactive legislation damages our democracy. It strikes at the heart of the way we govern people, because you cannot have confidence in the economy if we are going to reach back four years and say, "I don't care what you did; even though it was legal, we will take it away from you." What we are doing is we are now confiscating the life savings of many small landlords.

The large landlords will, I am sure, weather this storm. In fact, with respect to renovations, most of the large landlords had already done the large renovations. A lot of the big renovations that were coming up were the smaller landlords. We recognize that we must have renovations. There is approximately \$10 billion worth of renovations outstanding. Not \$10 million; \$10 billion outstanding on buildings at this moment. We know from the Ministry of Housing's own numbers that in the region of \$7 billion must be expended by the year 2000 if we are to save these buildings.

We have seen from the discussion paper, the so-called green paper, that in fact it appears that the government, albeit possibly reluctantly, has recognized the fact that there will have to be a mechanism to be able to pass through these expenditures back to the tenant.

We had a system under Bill 51 which recognized the need to be able to pass through these expenses, because it is not going to come out of heaven like manna, and it is likely that we will, in fact, have to get this money back from the tenants under the permanent legislation. So why do we have Bill 4 having this very controversial retroactive aspect? I cannot understand why the NDP will not back off on the retroactive aspect of this bill. If they

backed off on this, they would have a much easier passage of Bill 4 because almost all of the discussion that we have had concerned itself with the retroactive aspects of this bill.

We have landlords who cannot be retroactively unbankrupt. They will be gone, and they will be lost as investors in this province. How many of the landlords went to our Housing critic and to myself, to the Liberals' Housing critic and, I believe, to the Minister of Housing and indeed the Premier, and said, "Please, don't make this retroactive?" But all for naught.

Unfortunately, we have set up in Bill 4 a feeling of them and us. We are not the enemy; we are legislators. In the opposition benches we have a different view, but we are not the enemy; we are trying to bring that view to bear for the government to consider, and retroactivity is the most dangerous aspect of all of the decisions it has made since coming to office. I will say that I believe this government has made very few decisions since coming to office, and that may have something to do with it.

1540

I would like to just read into the record two of the submissions that we got with respect to retroactivity.

"One of the simplest tests of fairness of a statute is to question whether law-abiding citizens could have been aware of a law to be capable of complying. It is fair for the state to say that as of tomorrow it is illegal to make a right turn at a red light, and it is the responsibility of all drivers to be aware of this change. It is patently unfair for the state to say that this change is retroactive to the last month and that because you made a right turn at that time you will be penalized under the new law.

"Yet the latter is exactly the situation in which landlords find themselves today. They have obeyed the law as it was on the books and relied on the legislation to guide their investment decisions. In some cases, they have even received binding orders from the government stating the rent increases to which they are entitled.

"In our view, the most offensive parts of Bill 4 are those sections which eliminate the landlord's right to recover costs for capital expenditure that had been previously approved by the rent review process. We believe this is simply unconscionable in a modern democratic society. If the government wants to change the law, it has every right and every opportunity to do so during its term of office. It can, given its majority, do what it wants, when it wants. What it cannot do and must not be allowed to do is rewrite history to suit its own ideology.

"Not only is such a course of action, in our view, unfair, it is probably illegal as well. The government has been asked to refer Bill 4 to the courts for the ruling on its retroactive sections of the bill. It is our prediction that the government will refuse to do so." In fact, they have since refused to do so. "They will argue that tenant protection is just too important to wait. We further predict that, if given the opportunity, the courts will rule those sections illegal."

Now in point of fact, during committee hearings on Bill 4 the government accepted an amendment put forward by the Liberals that anybody who had gotten a conditional order would be allowed to get those conditional orders up



to a maximum of 15% with respect to those orders. We know that of the approximately 60 landlords who had gone the route of getting a conditional order, the majority of all of those landlords will in fact get most of their money out of this move.

We in the Conservative Party opposed that because we said that what they are doing is setting up two classes of landlords who have done repairs: those who believed Bill 51 and the legislation and ordered their affairs in compliance with that and those others who did not completely trust the government and went and got a conditional order.

Is this what we have to do? Is this the message that we, as legislators, want to send: that if you ever get a law where there is any ability to get a further clarification or a further guarantee from the government, go for it because you cannot trust governments?

There is a serious message in this and it is a message which I am trying desperately to get through, because indeed this legislation would probably have been passed if it were not for the retroactive aspects of this legislation.

We have a letter from the Canadian Federation of Independent Business:

"The Canadian Federation of Independent Business, on behalf of our real estate and construction members in Ontario, would like to register our dismay at the government's plans, as expressed in Bill 4, to make retroactive the changes to Ontario's rent review legislation. Retroactivity is not only unsettling to the economy and upsetting to the economy's need for certainty and the ability to plan—retroactivity is by nature unfair. It penalizes people for past actions after the fact, when no changes or adjustments are possible. It would be like legislating a retroactive salary cut for the MPPs and penalizing those who spent the 'excess' funds which they have received in good faith since October 1.

"Our affected members' complaints with Bill 4 do not stop at the unfair retroactivity provision. However, the industry and sectoral associations who are appearing before the committee have the expertise to address the substantive provisions of the bill.

"CFIB strongly recommends to the committee that the retroactive provision of Bill 4 be deleted and that amendments which are passed come into effect in a balanced and fair way."

The concern was not just expressed by landlords; it was expressed by tenants. I think that the parliamentary assistant to the Minister of Housing will recall the lady who was a superintendent of a small apartment building in London, who emphasized that she had undertaken a course of action without any reference to her landlord, and all of the tenants in that building had signed a petition which was submitted to us at that time. The tenants said:

"Look, this is a good landlord who has undertaken a lot of work for us without going to rent review in many cases, but where he has gone to rent review it is because of some major investment which needed to be done and it was in our best interest that it be done. We think it's unfair. Whilst we would love not to pay the rent increase"—and they were very vocal about that—"nevertheless, we think it's

unfair." Surely that is what we should be concerned about, fairness.

I think that the NDP would find it patently unfair if after the next election it is defeated and we should be the government and we retroactively were to claw back for the landlords any rent increases. It would be wrong, just as this is wrong. We are elected to govern during our mandate, we are not elected to govern four years before our mandate, and that is precisely what we are doing with this retroactive provision. We have set up legislation which says, "Please repair your buildings." We have all kinds of regulations which insist that a landlord must maintain his building in good repair, and it is quite clear from all of the foregoing bills that we have had that it was always contemplated that the tenant would have that passed through to him. Given that fact, how can we possibly change history?

I never believed that we would live in a 1984. I guess that is a rather jaded old expression now, but I remember as a kid reading 1984. We always were rather frightened of this Big Brother attitude, and that is what happens when you go to retroactive legislation and you rewrite history.

If the government is going to have the provision that it allows the flow-through of capital costs with the permanent legislation, it is patently unfair to disallow it now, after the people have made them. If the government had come in and said, "Look, as of this date you cannot spend another penny unless we approve it," that is okay. The government would not get any discussion on that from me. That is their right. I may disagree with them and I might make that disagreement known, but I would not be fighting as hard as I am fighting now, because we are striking at the very essence of the way we govern people.

In the Agenda for People, that rather jaded document—

**Mr Bradley:** Agenda for what?

**Mr Turnbull:** Yes, agenda for power—they clearly told us that they would bring in legislation, that there would be one increase per year for tenants and that would be based on inflation. We knew it was coming. Tenants knew it and they liked it, let's have no doubts about that, but they did not know the government was going to back off and change things when it found there was no money for renovations unless it allowed them to be passed through, and that it is why it is contemplated in the permanent legislation. But in that same document, members will remember, there was the provision that we would have mortgages for private home owners at 10.5%. It was quite simple: The government would borrow money at its cost of borrowing. There was going to be no cost to the taxpayer and, magically, everybody who had difficulty with his mortgage was going to get a 10.5% mortgage. In these difficult times that we have been through—and thank God interest rates are beginning to come down now—the NDP did nothing about that yet it launched ahead with this ill-thought-out legislation with respect to tenancies.

1550

We know that this legislation falls very far of the mark of what is needed. Forty per cent of all tenants do not have enough money to pay their rent now. It does not matter what you do in terms of controlling rental increases, they



do not have enough money. We have suggested that we introduce a system of shelter allowances, and the NDP's answer to that is, "Oh, you want us to subsidize landlords." No, we do not want the government to subsidize landlords; we want it to subsidize the people who cannot afford their rent. Then they would not need to go to food banks.

When we look at the worsening situation with food banks, we realize that all of this issue is linked together, yet the NDP is not addressing it in the right way. They are going after landlords and they are going to kill the private sector. We will not have any investment in the construction of rental housing by the private sector. Even if the NDP were to lose government tomorrow, probably it has driven away the confidence of the private sector for many, many years to come. Indeed, the people who will bear the greatest brunt of this will be the people who elect the NDP.

The statements of the Minister of Housing that he is allergic to landlords are, I think, some of the most dismaying words that we could ever imagine. The Premier has not asked for the resignation of the Minister of Housing, yet he is saying he is allergic to whole segment of the electorate. The NDP has been elected, believe it or not, to represent everybody in this province. They are the government and they have a responsibility.

We are killing free enterprise and we are seeing this every day. We have seen that six out of 10 provinces in Canada have had a rise in the number of jobs, and Ontario continues to lose jobs. Why? We are supposedly the engine of the Canadian economy. I would suggest precisely because of this kind of legislation. We now have the situation that Ontario is the least desirable place in Canada to invest. We have a government that is unprepared to control the wage increases to its own civil servants, yet we are now controlling landlords' incomes even after they have spent the money they were encouraged to spend.

I have a letter here about jobs being lost:

"Dear Minister:

"Re: Proposed rent control legislation.

"The purpose of this letter is to voice my concern about the above-noted legislation and its adverse impact on the construction industry.

"I am a general contractor who specializes in commercial and residential construction. A major part of my work involves apartment renovations. During the last three to four years, I have employed approximately eight people.

"This past summer, with the slowdown in residential and commercial construction, I pursued several apartment renovation jobs to keep my people employed. In mid-October 1990, I had verbal commitments for approximately \$191,000 of work. However, these commitments evaporated after 28 November 1990, when you introduced your moratorium legislation.

"The work included construction and installation of 28 kitchen cupboard sets in two buildings that are both 27 years old. Existing cupboards are original and in need of replacement, contract value \$57,500; bathroom renovations to the above-mentioned buildings, ie, replace tub area, drywall, new ceramic tile, linoleum, contract value \$42,000; replace roof on 33-unit building, contract value \$54,000; major repairs to a concrete parking structure,

contract value \$12,000; balcony renovations, replacement sidewalk installation, boundary fence construction, contract value \$25,500.

"The landlords advised me that they were cancelling the jobs for now because the work was considered capital expenditures and they would not be allowed corresponding rent increases.

"Partly as a result of the above, I have laid off all but two of my people. A recession was already here when your proposed legislation was announced. However, your announcement has made the already bleak employment opportunities in the construction industry worse, especially the renovation segment.

"I recently read comments attributed to you that landlords were exaggerating the impact rent controls were having on the construction industry and related jobs. Mr Cooke, that is not true!! Jobs are being lost. Necessary renovations are needed, yet landlords are delaying such work. I have experienced this first hand.

"Consequently in view of the above would you please provide:

"(i) Your government's definition of what constitutes the difference between a necessary and luxury renovation?

"(ii) Will the moratorium be lifted within two years? Will it be extended?

"(iii) How will a revised capital expenditure rule work in the future?

"I am neither a landlord or a tenant. However, this arbitrary legislation adversely affects me and my employees.

"Please rescind Bill 4.

"Sincerely,

"Ken Schildt."

I have got pages and pages of letters, and I could go on for ever with this, but the bottom line is we have a serious problem. Let me recap: Retroactive legislation attacks the confidence in the economy. Retroactive legislation unfairly discriminates against people who have been encouraged to spend money under the old legislation. Retroactive legislation will lead to a total discouragement of anybody to build any rental accommodation. We are losing jobs, we are exacerbating the hard times that Ontario is already experiencing and the attitude of this government is sending out a message which says, "Do not invest in Ontario, because we might retroactively take away that which you believe is rightfully yours." In short, we are building a province of fear and a province where housing standards will continue to slip. Unless we get rid of this retroactive legislation, this clause in the bill, the government will find this party opposing it for ever.

We believe in clean, affordable housing and we believe that we can work with the government. We can show it, because we have the business experience, how it can get more development. But this is not the way to encourage development; this is the way to kill development. We are going to create a situation such as exists in New York. It is very strange that in New York there is key money and there are landlords who walk away from buildings, yet in all of the other administrations in the United States you find landlords falling over themselves to build new rental accommodation. Strangely enough, the rent is not that



much higher—sometimes it is lower—but the fact is that we have a mindset that we are working against.

I ask them, please put that mindset to one side. Forget that we are Conservatives and they are NDP. Let's try and create affordable housing. But first of all, you have to create an atmosphere of trust, and retroactivity does not create an atmosphere of trust.

1600

**Mrs Y. O'Neill:** I would like to say a few more words about retroactivity, because that is the clause we are on in this bill, as I understand it.

This weekend the local paper in Ottawa had an insert on investment within our community. One of the articles that popped off the page is headed, "Rental Effects Felt Throughout the Area" and states:

"The province's new regulation of rent reviews is already having a negative effect on rental property values and the worst is yet to come. In just a few short months since these new regulations were announced, we have seen loan defaults and bankruptcies among owners and bankruptcies among those who provide rental properties in this city."

That is the worry I have: bankruptcies, departing of investment from our city of Ottawa and from this province in general. So the general public interest is at stake.

Today I would like to quote from some of the presenters we had as we went across this province on Bill 4:

"No government has the right to be unfair. Retroactivity is wrong and it's unfair. The retroactive clause in Bill 4 is immoral, unethical, shameful and totally unacceptable." That from a presenter to our committee.

"The retroactive aspect particularly is abhorrent and repugnant and will result in financial losses to our company. Legislation should be prospective rather than retroactive."

And again: "Retroactive legislation will not hurt those who have abused the system—they have already escaped—but it will crucify many small landlords and investors."

From another presenter, "The government should recognize that retroactive legislation is unfair and that the public has a perfect right to proceed with its affairs in the expectation that only the future is subject to the possibility of change, not the past."

As we look at this, we see that this particular clause of the bill, the clause on retroactivity, is that which is most objectionable across this province, because it is the principle of the matter.

In most cases, when governments come to office and they are going to make major changes to significant pieces of legislation that have become part and parcel of the lifestyle and basis upon which people make judgements in a province, they grandfather; they grandfather those people who are in process or who will be affected immediately who somehow could not prepare for the events of this legislation. That happens in all ministries, in legislation that arises in all areas of operation of government. That is what I personally had been used to and what I thought would be the fair way in which this particular bill could have been dealt with.

Bill 4 completely ignores that concept of grandfathering, grandfathering that is taken into account whether you are talking about collective negotiations or legislation that is going to take effect on a given date.

So this is the regret I have. It is the regret I have that I mentioned when I rose on Thursday last, that the investors, small landlords, everyone has been put into a tailspin of uncertainty about what and how they can depend on this government and its operations. Will there be another piece of legislation, whether it be from another ministry such as Environment, whether it be another ministry such as Revenue, that will have retroactivity? That is the question people are asking, and that is making the investment community, and indeed the individual citizens of this province, very uncertain, and that I regret deeply.

Therefore, retroactivity is abhorrent, it is repugnant. The people of Ontario have told us so, and I wish this government would listen to that request to not make this piece of legislation retroactive, but that it would have every single request that is before and under rent review in process as of 28 November be continued to its completion. We have made that request. It has not been attended to.

I have deep regret with the retroactivity of this legislation, as does each and every person in this province. Retroactivity is not a part of governing that is acceptable. It is a step in the wrong direction, a step backwards when we are in a time when we need progressive, positive action.

**Mr Tilson:** I have a question for the parliamentary assistant. We have heard throughout the hearings around this province grave concerns about the whole retroactive aspect of these hearings. We have had landlords come and literally break down in tears. We have had landlords tell us their life savings are gone, dealing specifically with the retroactive nature of the legislation. We have had employees come and say they have lost their jobs because of the retroactive aspect. Jobs that had been planned have been cancelled, and they have lost their jobs and they have been added to the unemployment rolls of this province. We have had individuals from financial institutions who have told us, and individuals from within and outside the province who have said they are no longer going to invest in the housing stock of this province. We have had a whole series of very negative comments, comments that affect us in law and I would hope comments that would affect the members opposite from within. They have to have compassion for these people, and I hope they do.

I guess my question to the parliamentary assistant is: Has that testimony and the stories that have been relayed in this debate in this committee had any effect on her that would result in the government removing the retroactive nature of this legislation and at the very least supporting this amendment that has been put forward by the Liberal critic?

**Ms Harrington:** Certainly we have had a lot to listen to in the last two months, and I understand what the member is saying, that there are some difficulties, and of course we recognize that. The whole word of "retroactivity" is not something that one would desire. I understand that as well.



Let me go a little further. The whole idea of this bill is protection. What it is, obviously, is a moratorium so that we can move on to get a fair system so that people all over this province, whether they be landlords or tenants or investors, know that we have a system, that it is a fair system and how it will work for them, and we are genuinely working towards that.

But let's look at this particular bill. Of all the increases above the guideline this year of 5.4%, 110,000 of these increases above the guideline will be stopped by this moratorium and 130,000 of these increases will flow through.

Now I ask the member, is that protection for the people of this province? When they voted, they voted for protection, and I think the member would agree that it was stated very clearly that there would be protection in the Agenda for People, which his colleague was just mentioning.

I am saying to have any validity to the word "protection" that this government is talking about, we are not even stopping half, not even stopping half of the increases above guideline that could go through in this province. So I am saying that for this government to be in any way credible, this is a bare minimum.

1610

Let me go a little further. I went to a building in the central part of Toronto. Actually, it is a very good area in Toronto, just south of Eglinton. I am not sure exactly which riding it is. It looked like a very good neighbourhood. I went in the building to talk to these tenants. They had asked me to go there. And when you go into the building you are amazed at the lack of maintenance, the state that building is in.

When I spoke to these people—there were maybe 25 of them—they were explaining to me the rent increases that they were now faced with. They were paying, for a two-bedroom apartment, \$1,300, and they looked at me and they said: "Okay, you have a new government. You have a majority. Aren't you able to stop these kinds of rent increases?" I had to say to them: "No. No, you're part of the 130,000 we are not protecting." Why should we discriminate against them? Why should they not be protected?

Just last Wednesday night I was in Kitchener, and I want to tell members about a woman who came and spoke to me there. This is the statement she gave me. She talked about their building and the increases in this building where she lives, and she has lived in this building 22 years. So this problem is not confined to Toronto, whether it be the Parkdale area of Toronto or the East York area of Toronto or the more fashionable and upscale areas of Toronto. The problem is across Ontario. She is telling me that in the rent review under the RRR:

"Too often decisions are made hastily in favour of the landlords without any input from tenants, who are often not informed when these decisions are being made. We tenants do not feel there is any justification for increases above the guideline limit to this building, which is not being maintained properly. We would not object to any increases if we had anything to show for it."

I have talked to many tenants. Even last week in Niagara Falls we held a meeting and I heard from tenants and landlords in my riding of Niagara Falls, and the tenants

were very reasonable. They wanted to be able to pay for costs that they could see were going into that building.

This woman said:

"Landlords claim financial hardship, but this is not due to money being spent on maintenance or repairs, it is because they obviously overextended themselves financially when they purchased the building. These particular people in Kitchener are using 90% of their rental income to pay the interest charges on their three mortgages. For 20 years, under previous management, this building was adequately maintained without asking the tenants to pay increases above the guideline." For 20 years, no increase above guideline.

Let me just tell members what it is like to live there, because I sat there and I was amazed. First of all, elevators: This woman had her husband come back from the hospital and he needed daily home care. There was a visiting VON nurse who was supposed to come and change his dressing.

"Two of the three elevators are usually out of service, and when three are out there is a panic situation for the elderly living in the building." This woman quoted from her personal history that on three occasions the nurse had to phone and say she could not come up because of the elevators being out of order.

The second fact that this woman told me was that all the water in the building could be shut off without warning and she found it necessary to heat ice cubes from her freezer in order to try to change her husband's dressings.

The laundry room: The quote here is, "Machines are in filthy conditions, often out of order for days at a time." Having moved into an apartment here in Toronto, I cannot fathom trying to live under conditions where one would try to do laundry in facilities like that.

Finally, there are a couple of other things I would like to let members know about what it is like:

"This building is accessible to anyone, although originally we paid for security. There is no lock on the back door. Transients have been found loitering, sleeping, eating in the stairways and hallways. There is no security supervision by the superintendents, who have a 'Do Not Disturb' sign after 5 pm on their doors.

"This was a nice building at one time. The pool is filthy: dirty water, mud, old furniture, tin cans, etc. It is a breeding area for mosquitoes, other insects and vermin. The Kitchener property standards officer warned management last summer that it should be filled in as it is a health hazard, but nothing has been done about it."

I would like to submit to the House that there was a change last September, that the people in this province voted for protection, and I am saying that this government is trying to live up to the Agenda for People and give them some protection, albeit only less than half. Therefore, we need this bill.

**Ms Poole:** I would like to make a few final comments. First of all, when the parliamentary assistant talked about what the people of this province voted for on 6 September, she said they voted for protection. I would also put to the House that the people of this province voted for the concept of fairness, and I have never been one to think that



two wrongs make a right. So the inequities that she talked about that tenants were undergoing under the last few years, I agree with her that those situations should be remedied, but I do not agree that they have to be remedied by going to the extreme of making a retroactive, unfair bill such as Bill 4.

What I really wanted to address today was the fact that we had heard last week about how landlords are opposed to the retroactivity, how investors are, how financial institutions are. We have heard how many tenants are opposed to the retroactivity because of the issue of fairness. Today the member for Ottawa-Rideau talked about some of the presenters to our committee and what they said about retroactivity. I quoted from the legal counsel for the standing committee on regulations and private bills, where he said that retroactivity was not desirable and should not be encountered, and of course we heard from members of the Liberal caucus and members of the Conservative caucus who were opposed to retroactivity.

But today I would like to quote from four NDP members who also think that retroactivity is unfair. This is not something that was said years ago in a different life in a different time. These comments were taken from Hansard just last Thursday 4 April, when we were debating another resolution in the House. On Thursday the debate was about the member for Kenora's resolution on health care in northern Ontario, but surprisingly NDP members had a different thing to say when they were considering an opposition member's resolution.

I will first quote from the member for Cochrane North, who is an NDP member, as members are aware:

"One aspect of the resolution that the member for Kenora has brought forward which is very difficult for me to support is the nightmare that would be created by the retroactivity back to 14 April. As I said, I support it in principle, with the exception of the retroactivity of it."

**Mr Tilson:** What party is he with?

**Ms Poole:** He is with the New Democratic Party. That was an NDP member who said those words. But it got better.

The member for Dovercourt gave a very eloquent speech on the member for Kenora's resolution. The member for Dovercourt said: "That is the issue of retroactivity that some members have spoken to. I certainly do not see how the retroactivity could be brought about."

Now, the member for Dovercourt is a gutsy man, and he said he was going to vote for it in spite of the retroactivity. But then we went to the member for Perth, who spoke about "a retroactivity that is difficult for us to support because we can see the administration problems of it."

Finally, we go to the NDP member for London South.

**Mr Mancini:** Not the member for London South.

**Ms Poole:** I am afraid so, the NDP member for London South. He said: "These initiatives are covered by the resolution, but the retroactive provision is certainly problematic. For that reason, while I support the general thrust of the resolution, I cannot vote for it."

1620

**Mr Mancini:** Is that the member for London South who we know?

**Ms Poole:** That is the NDP member for London South who we know. The NDP members who have spoken—well, no, they have not spoken. I must say that the NDP members have been quite silent on this issue.

**Mr Mancini:** Not allowed to speak.

**Ms Poole:** Not allowed to speak. But amid the resounding silence, we have four NDP members standing up in this House a mere four days ago expounding on the evils of retroactivity.

**Mr Mancini:** Oh, yes, that was then.

**Ms Poole:** And this is now. So it is obvious that many people in this province have a real problem with retroactivity and I think it is time that this government addressed it.

One of the other ironies is that the one thing that landlords and tenants have agreed on about the long-term legislation is that the time period is too short. The consultation cannot be meaningful and cannot produce good solutions because it is being rushed.

I was at an interesting meeting actually at North Toronto Collegiate, on 23 March. These were meetings held by the Minister of Housing. When tenant groups said to him, "Why can't you slow down the process for the long-term legislation?" the minister's answer was: "We can't. We have to get it in quickly because of what's happened with Bill 4."

I took very careful notes of what he said so that I could quote them back to members, because I thought it was astounding that a minister would actually admit that the interim bill that he had before the House was so inadequate and was creating so many problems that they had to rush through the long-term legislation in order to deal with it.

The minister said, "We've got to move quickly because of uncertainty in the financial community, because banks won't lend money to the owners any more, and in the labour community, because they won't recover because of the uncertainty in the whole field right now."

It is Bill 4 that has created this uncertainty, both in the financial community and in the renovation and supplier trades. When those people came before our committee, they said: "Obviously the recession has an impact on our industry, but we're not here to talk about that. We're not here to talk about seasonal adjustments in employment. We're here to talk about the jobs that we've lost because of Bill 4."

In fact, there were people from the renovation trades who felt so strongly about it that they actually took an ad out in the Toronto Sun last December. It said: "Thank you, Mr Rae. Your proposed rent control law may have saved me \$25 per month on rent. Unfortunately, as a direct result of this act, I have just lost my job," and it is signed by seven former employees of RAM Restoration Inc, seven of the first victims of the new rent control laws.

So the minister should not try to say it is the recession, because that is not what we heard. The minister's own



union people, when they came to our committee, said they estimated 60% of the job losses in the construction industry, renovation and trades right now were a direct result of Bill 4.

**Mr Mancini:** Maybe they don't care about those people.

**Ms Poole:** They do not care about those people, but they are tenants. The very people he has pledged to protect are also being harmed. So let's keep things in perspective. We have another opportunity, perhaps a last opportunity, here in this House to address the retroactivity. I, for one, would think much more highly of the minister if he stood up and said, "The ramifications are obviously much more serious than we believed at the time and we've listened."

**Mr Grandmaitre:** "We've goofed."

**Ms Poole:** No, they do not even have to say, "We've goofed." It is a new government. They came in, they brought in this legislation very quickly, so I do not expect a mea culpa. All I expect is the fairness and the justice of saying, "There is something we have to change and there is an amendment that we are now prepared to consider under Bill 4."

I hope when it comes time to vote for this bill that the NDP members, the four who stood up opposed to the retroactivity in the resolution last Thursday, will put their consciences on the line when they vote for or against Bill 4, because the same retroactivity is now engendered in this bill. I notice all the NDP members are amazingly quiet this afternoon and they do not even look like they are sleeping.

**Mr Tilson:** On a point of order, Madam Chair: I think they are so quiet because there is not a quorum in here and I would submit that I think the member for Eglinton should have that respect.

**The First Deputy Chair:** Make a count, please, for quorum.

**Clerk Assistant and Clerk of Journals:** A quorum is present, Madam Chair.

**The First Deputy Chair:** Thank you. Please continue.

**Ms Poole:** Thank you, Madam Chair. While I thank the member for Dufferin-Peel for his kind intervention on my behalf to make sure that adequate members were present to give the member for Eglinton due respect, I guess we have the magic 20.

I do not really want to prolong this debate. Landlords and tenants across this province are quite anxious to find out what the final resolution of this bill is. They are in limbo, right now, rent review is in limbo and I think we should get on with it. Let us debate our motions, but let members of the government listen, because that is another reason they were elected on 6 September. The people of this province thought they were going to listen, so the government ignores their advice at its peril.

**Mr Tilson:** I would like to make some concluding remarks on this amendment. I have indicated that our party certainly supports the amendment, as we did at the committee. We do so because, as I think and as I have indicated several times, this is perhaps one of the greatest concerns that has been voiced, not only at the hearings but in correspondence I am sure many members have received

from members of their constituencies. So I think the Legislature should give fair consideration to it.

The member for Niagara Falls does give me some concern with respect to many of her comments and I guess again it gets back to the principle of fairness. When I listened to her, there is no question there is a social problem in this province. There are tenants who cannot afford any increase, and of course this legislation does not deal with those tenants. Thirty per cent of the tenants of this province cannot afford any increase and that has not been addressed by this interim legislation.

To stand up and say that this interim bill is solving the problem—it is just unbelievable that she would do that. Again, I guess it gets back to the principle that some people are more equal than others. I think that is the difference between her party and our party. We try to look at the overall economy of the province. We look at the investment in this province. We look at the employment of this province. We look at improving the capital structures of our housing and we look at the tenants. We do not want the tenants to live in slums. We want to encourage the landlords not only to build new housing accommodation but to keep up what they have now, to do the major renovations that are required. Some 75% of the buildings of this province are 20 years old or more. It is regrettable that this government will not take into consideration all of the people of this province.

I would like to quote from this morning's edition of the Toronto Sun, specifically a letter to the editor on this whole subject. This was written by a Paul L. Casciato. The letter says:

"So NDP housing minister Dave Cooke is 'allergic' to landlords? As a tenant I have a feeling that Ontario is about to discover a simple equation—tight rent controls equals filthy slums. When my landlord cannot afford to make simple repairs because the Queen's Park sanctimocrats believe profit is 'evil,' I know who is going to lose. Perhaps our Housing minister can become a tenant in a Toronto apartment block while holding his portfolio. Otherwise, if we can safely live in Toronto's coming slums until the next elections, tenants will only be glad to help Cooke distance himself from his allergy."

1630

The editors of the Toronto Sun added the comments, "Hey, Bob, in case you hadn't noticed, the honeymoon is over." And the honeymoon is over, I say to the member for Niagara Falls. I am most disappointed that she did not listen to the great amount of testimony that came to us at the hearings, letters that I am sure have been written. I cannot believe that landlords in her own riding have not contacted her with respect to the terrible effects the retroactive nature of his legislation is having on them. I cannot believe that. She does refer to other items, and I am sure there have been landlords who have contacted her. I would hope that she would have referred to those people at this committee.

There have been a number of people who objected specifically to the retroactive nature of this legislation. Specifically, there was one in the early stages of the hearings, R. M. Baker, who contacted us and dealt specifically



with the retroactive nature. This was a letter directed to the Premier, which I believe members of our committee all have, and I would like to share that letter with members of his committee:

"I admired you when you said that if your government made a mistake, you hoped you would be able to admit it and go on from there. Mr Rae, I think your government has just made its first dreadful mistake.

"You have retroactively cancelled Liberal legislation, which enabled landlords to arrange for work to be done on their properties.

"I have no opinion on the rights and wrongs of the landlord/tenant quagmire. But I do know that no one is safe if decisions made under existing laws can be rendered illegal by later laws.

"Five hundred years ago a similar situation occurred. A new government came into power in England, when Henry Tudor invaded the country and defeated King Richard III at the battle of Bosworth. One of the first things Henry did was to retroactively date his reign from the day before the battle, thus transforming Richard's royal army into a band of rebels who had taken arms against their true king. Twenty-eight of Richard's principal adherents were thus guilty of high treason.

"In spite of the fact that they were a conquered people, Englishmen dared to speak out against Henry's bill. 'Oh God! what security shall our kings have henceforth...' one man wrote. Feeling was so high Parliament even brought in a bill against the idea of future retroactive dating.

"I feel as stunned as did those Englishmen of yesterday. Any government which makes a retroactive cancellation of existing laws, takes away the security and trust of all.

"Your government's action seems to me to be so serious in its implications for every single person in Ontario that the Civil Liberties Association should pursue the matter."

And she adds:

"With all good wishes for your future success."

I believe that the people of Ontario want this government to be successful in trying to deal with the housing problem in this province. I think we all do, because it is one of the serious problems that this province has. However, the retroactive nature has caused many, many problems and it has created more problems than what it is trying to solve: bankruptcies, people losing their homes. It is on the government's shoulders that that responsibility will be borne.

There was a letter from a Steven Manders which we received in February. He also spoke with respect to the retroactive aspect of this legislation. I would just like to refer to some of the sections in the letter:

"The whole situation in Ontario is now highly polarized, a battleground where formerly it was fairly amiable, occasional friction from both sides but generally it worked as it still does elsewhere across the country."

Of course, I have submitted that the previous legislation was terribly bureaucratic, was quagmired. Your party made the same pitch during the election and I think people believed you. However, you have created an unbelievable friction between landlords and tenants. When I look at the

demonstrations that have occurred in this building and elsewhere—landlord, tenant, employee, people who are losing their jobs—it is unfortunate that you have created that animosity between the people of this province.

Mr Manders goes on to say:

"Retroactive rules give the investors a very clear message, 'We despise landlords, you are in for a rough time.' The message is not new, you have only repeated the message they have been getting for years which is why there has been a collapse in new apartment starts across the province. This in turn has caused a rental shortage and higher prices of severity and duration unknown elsewhere in Canada."

Clearly that is exactly what the government's retroactive legislation has said, and they have said it. They have talked about the greedy landlords. They have despised the landlords of this province, and it will be years before that trust will be built up between the landlord and the tenant because of this very regressive legislation.

Mr Manders continues by stating: "Why should builders put up more apartments in Hull, Quebec than in Ontario despite lower rents and higher vacancies. The construction costs are identical, the area functions as a single market, the people move freely back and forth. The answer is simple, the Quebec government is not hostile to landlords so they build there..."

"The irony is that if the Ontario government adopted similar policies as other provincial governments there is no logical reason why the higher Ontario rents won't slowly merge with the other provinces'. Why shouldn't they? In Hull, the landlords are free to charge a million dollars a month rent if they wished, it's true, yet they freely charge \$122 per month less for a two-bedroom apartment than across the river and continue to build. Be honest with yourself, where are the tenants' needs best served?

"Have you noticed that there are virtually no new apartment buildings with less than 25 units and less than 15 years old in Ontario yet the other provinces are full of them. Present legislation was sufficiently complex and hostile that it cut off all that supply and only a few major developers were building large products with huge subsidies. Our NDP government has freely chosen to aggravate the situation. Retroactivity probably affected only a few per cent of Ontario's apartments, but the message to all landlords is clear, they will be treated with contempt for the next five years. No problem. There are stocks and bonds and RRSPs to invest in."

And I think that has been quite clear with this government. This government has made it clear from the outset that it plans to make housing a public utility.

The Premier has stated it. We have asked him questions in this House. It has gone undenied and he clearly intends to take over the housing of this province and make it a public utility.

Mr Manders goes on by saying: "Now the tenants have a problem. The government cannot possibly build 10,000 small apartment complexes, it may be able to manage 100 very large ones like St James Place, but which would you rather raise children in? Further, the government will now be responsible for the entire new rental housing stock, not



just supplementary stock for special cases and it is needed now, not years down the road after endless bureaucracy gets involved with the very best of intentions. The government should supplement the private sector to fill specific needs. It can afford that, it can achieve that, and it will fail in that if it attempts to replace the entire private sector. Landlords don't mind that kind of competition. It isn't hostile." And that is the government's problem. It is being hostile.

He concludes by saying: "It is the government's attitude that it is critical in getting more affordable rental units, it is even more important than simple rent levels which are already the highest in Canada. Retroactivity tells the developers that there may be more rude surprises from this government" and the only safe place is to move.

I ask the member for Niagara Falls if that is really the message that she and her minister wish to give this province. I do hope that she responds to that question, as to the message that she is clearly giving the people and the investors of this province.

A further comment with respect to the effect of retroactivity was given to us by a Dick and Bonnie Mabee of Ottawa in the early part of January. They talked about the detrimental effect of retroactivity on them.

They commented:

"We are particularly opposed to the retroactive way in which they are intended to be applied. If rent review orders made since 1 October are rescinded, we will have to forgo substantial rent increases authorized for us since then. In our case, rental increases of over 50% were authorized because of financial loss. This rollback would be extremely unfair to us and would likely be detrimental to the tenants."

I think that is again the issue: the fairness of the entire legislation, where under the old rules orders were made and now for some unheard-of reason, they are cancelled.

1640

The Mabees continue by saying—and this is a letter not from a conglomerate of landlords; it is from small, average people who own a six-unit building—"We bought our relatively small six-unit building in 1989 to be the main source of our retirement income." That is, I think, the major problem that the people of the government forget: the effect that is having on all of these small landlords. This is their source of their retirement income, and the government is destroying their retirement funds.

They continue by saying: "We have no way near paid for it as yet, but hope to pay the mortgage off between now and when we retire. Our mortgage represents 65% of the purchase price.

"The previous owners had owned the building for 35 years. They had been carrying it without a mortgage and had let the rents fall well below the comparable market rents. The price we had to pay reflected the fact that the rents could probably be increased to market rents, based on the 'financial loss' rules of rent review."

In other words, these people looked at the current laws at the time, the laws that were under Bill 51, which said exactly what phase-ins could be made, and they purchased

a building, relying on the rules set by the province of Ontario.

"We knew the rents would only be allowed to be increased towards market rents gradually, but because the building seemed solidly constructed, well located and had good tenants, we decided the price was not unfair. We were also willing and able to go through the work involved in the rent review process.

"We submitted our request to be allowed to increase rents to market levels based on the 'financial loss' rules and the request was granted by an order on Oct. 11, 1990. This order reflected the fact that rents should be increased over time by more than 50% to overcome our financial losses. (We believe that to reflect market rates rents should go up even higher; this is partly supported by the fact that the mortgage amount on which our loss is determined is only 65% of the purchase price.)

"Thus, if the new rules rescind this order, our rents will be stuck at very uneconomic levels and we will become victims of retroactive changes in the rules. We will have locked ourselves into an uneconomic investment because the rules in place at the time of the investment (which we have since confirmed that a large increase is needed) were changed. In other words, we will have committed our total savings to something which the government at first determined would be economic and then later retroactively decided it couldn't.

"Even if we were to exercise our options to sell the building, this wouldn't solve the problem. No buyer would be willing to pay as much as we did with rents capped at uneconomic levels."

I ask the member for Niagara Falls, would she buy this building? Would she buy this building under the rules that have been set by her government? I imagine her answer to that is no, but I will be interested in hearing from her.

They conclude their remarks by saying:

"But it's not only we, the owners, who will suffer. Such situations will also be bad for tenants, the very people the designers of the new rules are asked to help. Upkeep of units will decline. In our case, we recently discovered the roof and furnace are in need of major repairs. We don't see how we can afford to make the necessary repairs. (If we are not allowed to raise rents enough to break even and if the costs of major repairs cannot be passed on as a result of another change, to make the repairs would put us even further in the hole.)"

So they are saying they are just going to let their building go. They do not have any choice on this because of the rules set by the government. They simply will not be able to keep up that building and to make the capital expenditures that are required because of the government's rules, and the tenants will suffer. Their quality of life will suffer.

They say, "The investment climate will suffer. This will be blamed on the government which brought in the new rules.

"The rate of starts"—and do not blame this on the federal government. This is a problem created by this government—"of new apartment buildings will suffer. This will also be blamed on the government which brought in the new rules. Will tenants be able to find accommodation?" I would



like to know where they are going to find accommodation unless the government is going to build them, and if it is going to build them, where it is going to find the money to do it. Probably they are going to raise the taxes.

They say: "We believe there are two main things the government must do to prevent such problems from developing: Don't rescind orders that have already been issued. Make sure that the rules continue to provide for relief from financial loss in some way or another.

"By rescinding orders that have already been issued, the government will send signals to investors, tenants and the population at large that it respects neither the equitable application of rules nor the democratic system of effecting rule changes. And it will send a signal that all orders made under the old rules after a certain arbitrary date are bad orders. Neither of these signals are ones which the new government will want to give, we are sure."

Again, I hope the member for Niagara Falls will comment on that.

I would also like to refer to a submission that was made to us by Minto Developments Inc on 14 February of this year, which is a well-established landlord. They deal specifically with the implication of the retroactive legislation. It is very brief, but I think it explains what their position is.

"Perhaps the most significant and destructive element of Bill 4 is its retroactive feature. This brings into question the fundamental fairness and justice in the government process. Society's progress is advanced greatly by stability, trust and cohesiveness. Conversely, any breakdown in these elements can have a severely retardant effect on creativity and development. One of the great struggles in developing nations is the creation of a stable platform of government policies and regulations, and the even-handed, fair, consistent application of the rule of law. The absence of these elements makes everyone risk-averse and stultifies development. The enactment of retroactive legislation, in addition to its specifically harmful impact on individuals and companies, also has the effect of fracturing the trust between private-sector enterprise and government. This breakdown can have devastating effects, not simply within real estate but throughout all industry. This runs completely contrary to the Premier's stated goal of working with private enterprise.

"It signals professionals, entrepreneurs, investors and financiers that added caution must be exercised in Ontario. Additional care and time must be taken to address the risk of legislative changes which would make a wise investment taken now turn sour in the face of retroactive government action. It tells local residents and foreign investors alike to be extremely wary."

I would like the member for Niagara Falls to comment on that with respect to investment. If you had a substantial amount of funds to invest in the private enterprise of housing in this province, and knowing that you have a government that literally changes the rules that people have relied on, would you invest in the province of Ontario? Would you take your funds and trust this government, a government that has changed the rules and has caused bankruptcy and people to lose not only their buildings but their own

homes, small landlords and large landlords alike, that has caused considerable unemployment and that has caused a lack of trust by the financial institutions across this province, across this country and throughout the world? I ask that question of you: If you had those funds, would you invest them in housing in this province, knowing that your government will change the rules?

Sherwood Realty Group Inc made some comments with respect to retroactivity, and these were made to us in February. I would like to emphasize a few comments that were made to the committee with respect to that submission. That specifically was made by a Robert G. Lowe of this realty company, Sherwood Realty Group.

"The NDP government, after being asked politely to consider the effects of its proposed legislation at the annual meeting of the Fair Rental Policy Organization on November 22, 1990, has disregarded all reasonable requests for understanding, and gone ahead with regressive retroactive legislation. How could I have met the desires of the tenants and not been penalized for it? Is the government prepared to buy this property? How do I solve an immediate cash-flow problem? Where in a democracy is a government permitted to selectively crucify taxpaying employers because they took calculated risks, proceeded following the law, and then are arbitrarily singled out because the date of next rent increase coincidentally falls on the date that a new government took over the reins of this province?"

1650

I mean, what a nice thing—"Well, we took power 1 October, that is the effective date we are there, so we will make it 1 October."

"As a result of this legislation, I will no longer be able to meet the requests of my tenants. More importantly, I have created unemployment for many people at Camco where the appliances were made, at Columbia Windows, where the windows were manufactured, and at the apartment project where the janitor, handyman, electrician and painter are employed. These tenants have difficulty understanding that they did a great job, and even though they are willing to pay for the improvements, that I cannot take it.

"I have felt the ramifications of this legislation in another way. I am a registered real estate broker that specializes in the marketing of apartment buildings. I have learned to operate within a complex, regulated sector, and have invested eight years advising people about the rent review system as they sold their apartment buildings. In many cases, these vendors were the original builders who suddenly found that their buildings were under rent control in 1975 and have operated within the system over the past 15 years. As they elected to retire from the role of landlord, our task was to find investors to take on the financial commitment and management headaches following the rent review system, that regulated their property ownership, they at the very least knowingly chose to make their purchase decision based on the understanding of the rent review system. As a result of the NDP election and the proposed Bill 4, less than 15 apartment buildings have been sold in the province since the election." That's an astounding figure, an astounding figure. "That has forced a decision to lay off all of my staff, some of which have



worked for me for over eight years. We had anticipated a downturn of the market and the impact of the GST, since we have been in similar markets in 1982 and 1985, and set aside some resources to carry us through the slowdown; however, no one predicted such retroactive and regressive legislation that literally stopped the market for the past five months."

Now that is the argument that this government has decided. It said all landlords are rich, all of them have been hoarding money instead of setting aside reserves to pay for all of these things, and therefore they have the bucks to do it. Well, here is an individual who says yes, he has set aside funds, but for certain things and not the anticipated rules that the government has chosen to break.

Mr Lowe continues by saying:

"As a family man, and a small businessman formerly employing nine people, it was not easy to tell these employees that due to the announced changes in the rent control legislation, that I would no longer require their services. How does my office administrator, who realized her dream to own her own house on 20 December 1990 pay for it now that she is out of work? Even closer to home, how would you like to explain to my wife and two boys what happened to Dad's business and that we could lose our home as a result of being caught in the social agenda of a new government?"

So I ask members when they are considering this amendment—and I hope members vote for it, I hope they change their minds from what they did on the committee and I hope they vote for it—to realize the implication it has had to the average person in this province.

"The implications of this legislation are far more extensive than capital improvement suppliers. Banks, trust companies and insurance companies have placed mortgages on apartment complexes only to discover that now many of their loans are in excess of the legislated lending criteria. They will, most certainly, be forced to call what were perfectly safe, performing loans, and some unsuspecting property owners will be faced with some onerous decisions to either raise capital quickly, or lose their building. What benefit is that to the tenants in this building? If the landlord loses his building will a property manager hired by the lender really care about the tenants?"

"But what about the people involved? How can the government selectively 'help' tenants (both rich and poor) at the expense of law-abiding property owners that the government has bankrupted? Many former landlords have retired and they, or their widows and family, depend upon the income from the vendor-assisted mortgages given to assist in the sale of their former apartment building. Now that the future rents are insufficient to make increasing mortgage payments, they must obtain possession under power of sale or foreclosure...only to discover that they will lose what little equity they have, if they do not bring an institutional mortgage current or have to sell in a severely depressed market. The fear of the NDP government and this legislation have induced a minimum price reduction of 25%. For a government that says it is out to help the little guy, I am flabbergasted that you can so blatantly abuse the rights of certain segments in society." That is

what I want the government to think about, how it is simply abusing the rights of many, many people in this province.

"The government does not have the right in a democracy to arbitrarily and retroactively bankrupt law-abiding individuals simply because they are in the wrong place at the wrong time." Is that really the government's answer to the people of this province, 'Tough, you happen to be in the wrong place at the wrong time'? Some answer.

"You cannot paint a pinstripe with a household paint brush! If the system that was created as a compromise between tenants and landlords is not effective, fix the problem areas, not create chaos. If the government desire is to assist low-income people, slapping a moratorium on all tenants benefits those at higher incomes more than those at lower incomes. Furthermore many areas of this province have become a free market, rents that are legally available cannot be achieved in those markets. Why create difficulty in those markets when they are operating efficiently?"

"The bottom line is this: If new legislation is required, set an effective date somewhat in the future, allow phase-ins, and allow capital expenditures that have been completed to be passed through since the tenants have the benefit and the property owners have the commitment for the funds borrowed, and disallow any financial loss pass-through since 1 October 1990. All available data indicates that virtually no sales have been completed since the 6 September 1990 election. This would be fair and effective interim legislation and allow sufficient time for permanent legislation to be prepared, vetted and passed. There would be a maximum limit of rent increases in any one year during this moratorium so that unconscionable increases would be halted. Does this solution have any merit?"

Those are the thoughts of the Sherwood Realty Group on retroactivity and the devastating effect it is having not only for the owners of that firm but also the people employed and their families. I hope that the member for Niagara Falls and other members of the government will take that into consideration when voting for this amendment.

There is one further letter from a Rocco Candelora—this was January 1991—which was filed with the committee in February. It is a very short letter but it talks about how the Minister of Housing has stood up many times and said, "You know, there are all kinds of landlords abusing the system and that's what this legislation is for, to stop the landlords from abusing the system." This is Mr Candelora's response to that, and this is a letter to the committee.

"For the first time in my life I am compelled to write to a member of Parliament to express my deep concerns regarding an impending piece of legislation—the NDP newly proposed rent control legislation. While I am in no way opposed to fair rent control I feel this bill unfairly creates financial burdens which the average concerned landlord does not deserve.

"As a landlord, I have previously dealt with the past government's guidelines regarding rent increases. Building repair and improvements of which the tenants approved were done to some of the buildings and the rental increases



were approved over a phase-in period." That is specifically one of the items which this amendment deals with.

"Should you bring in the legislation retroactively as of 1 October 1990, as you have proposed, the increases I was promised in good faith will no longer be allowed, thereby creating somewhat of a financial burden to me as an owner. I am not asking for greater increases in rent but rather only what has been promised by the past government"—by the government of the province of Ontario. "I am not, nor have I ever been, a 'slum' landlord, allowing a building to fall into disrepair, then doing expensive, excessive improvements and gouging my tenants. However, even the minimum repairs to buildings are expensive now, and combined with using taxes and utility costs, the financial burden cannot be left solely to the landlord to personally absorb any cost in excess of your proposed per cent."

1700

Of course, the government says: "Landlords, that's your problem. You can solve all these things."

Mr Candelora concludes by saying:

"I urge you as my representative to review the proposed legislation. Consider the fairness and honesty of cancelling 'contracts' regarding the phasing in of past increases. Find a solution to the difficult problem of finding funds for costly repairs. I do not ask you to drop rent control nor abandon the tenants' rights. I only ask that landlord rights and financial burdens also be considered. The majority of us are not 'bad guys.'"

I think that is the impression the government has been leaving with this Legislature.

The final statement that I would like to refer to is with respect to an M. A. Franchina. It was made to us in Ottawa. She is an individual who has a family. Her son just recently joined the workforce, her daughter is currently attending university. She calls them "a normal family," but certainly not one of the wealthy landlords that this government has referred to. She says that she and her husband are of retiring age and she planned to retire sooner but this has not been possible.

Her plan was to invest their savings into a facility that would supplement her superannuation and keep them both occupied. Her husband has no pension plan. So they investigated the housing market and they researched it and they found what they were looking for. They found a small three-storey building containing 14 units. She says that this building was of the Victorian era and it was still in its original state. I would like to read just in concluding what she says about that building:

"The apartments ranged from 1,000 square feet to 1,500 square feet and of the size of a conventional three-bedroom house. Each had a separate dining room with a bay window, hardwood floors, oak doors and woodwork and a fireplace in the living room. The apartments were quite spacious and bright. To say the least, we were impressed.

"The one major drawback was the rents. They ranged from \$257.75 per month for a one-bedroom to \$460 for a three-bedroom. This rent included, among other things, the heat, hot water and free laundry facilities. These rents were well below one half the average rent for similar accommo-

dation in the same neighbourhood. The building had been owned by an 88-year-old lady who obviously did not increase rents yearly."

That scenario was revealed to us many, many times throughout our hearings across this province, so this is typical of the situation that exists today.

Ms Franchina states: "This one major drawback, we realized, would adjust itself under the existing rent review legislation. We made our decision to buy and had a good feeling that in the future some returns would be forthcoming, as with most investments, or at the very least the building would at some point in time become self-sufficient financially and we would have some equity to pass on to our children. Under Bill 4 and rent control, this may never happen.

"We purchased the apartment building, and being serious and conservative-minded individuals, we invested our complete life savings of \$350,000 to keep the mortgage payments to a minimum. Even with this sizeable down payment, our financial loss for the first year was in excess of \$17,000....

"In June of 1990, acting in good faith, we made significant, necessary improvements to the building amounting to \$25,000. We played by the rules. We made application under the existing legislation to the rent review commission for a rental increase based on the cost of improvements and financial loss. We were rewarded a 13.9% increase for the first year commencing 1 October 1990 and phase-in increases of 5% over a period of four years."

She emphasizes that:

"If the proposed bill becomes law and is implemented, with a mere stroke of the pen the increases will be wiped away, even though the improvements were made and the money spent, all done legally through the proper procedure under the existing legislation. But the worst part of the scenario is that my husband and I, through no fault of our own, may lose our life savings."

Of course, the government will say: "Well, tough luck. You made a bad investment. You should have anticipated that we would change the rules. Tough luck."

She says, "I'm quite sure that Mr Cooke would not like to go down in history as the Ontario minister who in 1991 designed and implemented legislation that put many, many small landlords like me into bankruptcy."

I put that burden on the shoulders of the member for Niagara Falls as well. Is that going to be the legacy of the Minister of Housing and his parliamentary assistant in this government? Is that going to be their legacy? I hope they answer that question, because that is a serious question.

"Let me remind you that the rents charged in this building are below one half the average rents charged for units of a similar size. Our tenants are mostly young professionals with highly disposable incomes and certainly not in dire need of subsidization. Among the 14 tenants, I inherited two lawyers, two doctors, a parliamentary librarian, an individual who owns an import-export business, a buyer for ladies' fashions, several public servants and a retired Canadian National official who owns his own apartment buildings elsewhere but who prefers to live in



this building because, to quote him, 'It's cheaper.' Is Bill 4 and rent control designed to help these people?"

Is that what the member for Niagara Falls intends to do? Is that who she is trying to help? Because that is what she is doing.

These were remarks that were made to us by Ms Franchina, and she finally concluded, for she is from the Ottawa area, by stating:

"Unlike Toronto, the majority of landlords in Ottawa are like us, full-time workers and part-time landlords, just trying desperately to make ends meet. Why should we, law-abiding citizens, be treated with such disrespect and ultimately penalized retroactively? It makes no sense.

"If Bill 4 and later rent control is implemented, I do not know what we will do. We could sell, but who would want to buy?"

Is it sounding familiar? This is the pattern we have heard throughout all of these hearings. What are they going to do? Are they going to sell? Who is going to buy? Anybody would be a fool to buy housing left in this condition by this government. No investor would take such a risk. Of course there is always the philosophy of the government to let the value of buildings go down so low that it will buy those buildings. I have heard that theory over on this side.

"I am not sure what the solution is, but I am sure the solution is not Bill 4 or rent controls. They did not work in British Columbia, they did not work in Alberta and they did not work in New York City. What makes the government think they will work in Ontario? The historic ramifications in those centres were incalculable.

"Let's look at alternatives, perhaps legislation by regions, addressing each region on its own merit. There must be alternatives which would be fairer to landlords too."

I think that is a type of comment that is being asked across this province: "Let's have legislation that is fair to everybody. Let's not cause the bankruptcies and the loss of employment that is being caused by this government."

1710

One of the most startling stories we have heard came from a Steven Draves. I think this is the last one I am going to refer to, and I would like to tell his story because I think it is the one that perhaps affected me. He is a landlord in Matheson, and he proceeded to renovate an eight-unit apartment building in April of last year. He told us that he was now in a financial bind because of the retroactive nature of this legislation. He is 27 years old. He is a licenced general carpenter, he is an apprenticed electrician. He only got married in June of last year, and he and his wife have been living apart and will be living apart until the renovations of the apartment building are finished. He has received all his building experience from his grandfather, who just turned 74 years old.

He describes the building as being a stable in the day of his great-grandfather. "Somewhere around the 1940s my grandfather began building apartments in this stable. Over the duration of several years, the building eventually ended up with eight apartments and an area my grandfather used as an office for his construction business. My grandfather also built a house next to the apartments for

his family of six to live in. This building was a way for my grandfather to do something he knew how to do and provide a little extra income for his family."

Mr Draves says he entered into an agreement with his grandfather to purchase the apartment building and the house next door in January of 1989. "The reason my grandfather wanted to sell the building to me was that he saw a way for me to take what I had learned and turn this building into something that would benefit my wife and I in the future. The construction in the building was outdated and needed to be upgraded. My grandfather and myself searched for the best way to complete this task and discovered a grant called low-rise rehabilitation."

**Mr Perruzza:** On a point of order, Madam Chair: While I find the information that the honourable member is relaying quite interesting, it is my understanding that the standing rules expressly prohibit an individual or a member of this House from reading extensively from written text. The member has been going on for quite some time now in reading from text, and he keeps flipping back and forth and in the same text and reading from one page and another and so on. That is my point. I believe he has read extensively from that text and I think he should cease, and if he has a point to make he should make it.

**The First Deputy Chair:** Thank you. I have listened very carefully. I will ask the member to continue.

**Mr Tilson:** It is regrettable that the government members would take the position they have on these things. These are concerns put by the people of this province, and I have every right to tell members, and hopefully members will listen to these concerns. Hopefully members' minds are not closed.

**Hon Mr Allen:** You should paraphrase it in your own words.

**Mr Tilson:** I will paraphrase in my own words, and I think the member should be listening to these concerns, because obviously the committee did not.

"My grandfather and I realized that in order to do all the work that was demanded of myself, I would have to raise the rents of the apartments. My desire was to have the rents of the one bedroom apartments all the same, and the same idea with the two and three bedroom apartments. I talked with rent review and I was told that if I wished to raise my rents due to capital expenditures that I would have to borrow the money, do the renovations, and then apply for the rent increases. If the rent increases were allowed, I would have to wait 90 days before they would be approved. I followed their instruction as closely as I was able and when I started to renovate, it was possible to spend the money, do the work, raise that rents so that I would at least be able to pay the mortgage and expenses for the building."

**Mr Perruzza:** On a point of order, Madam Chair: I made a point of order a little while ago about his reading from written text, and he has gone on at quite some length reading from the same text. You have ruled on it. Could you cite the rule that you are standing by your decision to allow him to continue, please?



**Mr Bradley:** Are you challenging the Chair? Then we have to put it to a vote.

**Mr Perruzza:** I am not challenging the Chair. I am just asking her for the rule she is quoting.

**The First Deputy Chair:** Thank you for your opinion. The member may continue.

**Mr Tilson:** Mr Draves said:

"I do not believe that this was mismanagement and I find it hard to believe that you might as well.

"The renovations that I was forced to do involved upgrading the roof...replacing all the exterior door and windows...replacing all the entrance doors inside the apartment...specific upgrades to the foundation...replacing all the electrical wiring and bringing the wiring up to code...installing fire code drywall between the apartments and in storage areas...."

The motive for the upgrades was to extend the life of the building for 15 years. Of course, with this legislation it would just sit there. I continue with Mr Draves's statement:

"We had to open many walls so I made the decision to replace all the plumbing in the building because of how old it was and the way it was installed. This also involved new sinks, toilets, tubs and showers."

Again, the members over there would probably just let it lie, because they know perfectly well that with their legislation this will never happen.

"I also installed some new kitchen cabinets and replaced as much of the wood chips that were used for insulation with fibreglass insulation. The brick chimneys were removed and replaced with B-vent to reduce fire risk."

Of course, the members over there would probably allow the building to remain unsafe.

"Almost all of the flooring was destroyed in the renovations (and not from neglect) so much of it had to be replaced and of course we had to repaint all of the apartments. Also we changed the layout of most apartments to increase storage and reduce wasted space.

"I think that it is imperative that you understand that I took every measure to keep spending to minimum. We reused as much of the old building materials that we could."

So these are not the flashy landlords the members over there talk about. This is an average guy like them or me, trying to develop good housing for the tenants in this province.

He continues by saying:

"Anything that we could not use, but still might be of use to someone, I gave away. I established accounts with distributors of building materials so as to decrease my cost of construction and watched flyers for sales in case a better deal could be found elsewhere on any items I would require. I always shopped around for the best price for a good to excellent quality. I hired one employee through the Futures program and had his wage paid for by the government for 26 weeks. This worker was also an unemployed tenant. I hired a second employee who was also an unemployed tenant. I hired two of my brothers to work with me, and another brother, both my parents and my wife helped me a lot on weekends and holidays. My mother went to the

hospital with pleurisy and pneumonia aggravated by painting with enamel paint. I did not pay myself during the renovations, and had to take a contract to do some work at a job site where five houses were being built. Between the income from the contract and my wife's income, my wife and I were able to survive and I was able to go on with the work. During the renovations I lived with my grandparents and my wife lived with her parents in North Bay. This kept our living expenses to a minimum.

"Previously if everything went well and I was able to collect all my rent, I could possibly realize a profit of \$6,351."

That is all the profit he was anticipating.

"I was willing to accept less profit per year for the apartments in order to do the renovations, but I have to raise the rents. A one-bedroom apartment would rent for \$225, a two-bedroom apartment for \$275 and a three-bedroom apartment for \$325 per apartment, and the tenants would be responsible for hydro, natural gas, water, telephone and cable. I believe that these rents are better than any subsidized rentals that a government could provide.

"My tenants are comfortable with the rents that I proposed."

Again, that is specifically what this amendment by the Liberal critic is proposing.

He continues by saying:

"I have done these upgrades and repairs for much less than it would have cost anyone else to do."

So this was not a frivolous landlord. He was trying to save and members of his family were trying to save to put forward the best accommodation for his tenants.

He continues by saying:

"I do not believe that the renovations were excessive or unnecessary, but I do believe that I was trying to extend the life expectancy of this building by 15 to 25 years. If I did not do these renovations, this small town would lose eight apartments, because the building in question is at the end of its lifespan and my grandfather never budgeted for an overhaul of the building nor does he wish to at the age of 74. If he had, the tenants would not have enjoyed such low rents for as long as they did. Currently there is one apartment with a legal rent of \$52.84 for a two-bedroom apartment, as of January 1, 1991."

Is that one of the high, gouging rents the member for Niagara Falls is referring to?

1720

He continues by saying:

"This woman makes more money than I do and yet I am forced to subsidize her rent. I could have chosen to be a slum landlord and ignored all of the problems in the building. I suppose that I should have because if I had done nothing to the building, I would not be in a financial bind.

"By taking the initiative that I did, I extended that life of a building that is at the end of its life span, I directly created at least four jobs, as well as using much materials that would indirectly keep people employed. This was an investment that I was hoping would provide me with security as I get older, not make me rich in a few short years.



"I have never seen such a display of pure ignorance as this government has shown to hardworking, honest landlords. I followed the rules in regards to rent increases and was trying to give the people of this building a better place to live while at the same time being able to pay the bills. The government changed the rules, without any fair warning, and also made the legislation retroactive. If the government's concern is to provide affordable rental units to the voters of this province, then I am at a loss to understand why they are destroying landlords who, to me, are their allies. I realize that there are landlords that do take advantage of tenants, but don't kid yourself, there are tenants who take advantage of landlords as well. This new legislation sides only with the tenants and does nothing for any landlords. I met with the Minister of Housing, Dave Cooke, in Toronto and he explained to me that his government was not going to allow landlords to gouge tenants with rent increases for unnecessary renovations. I believe that this is a problem that is mostly restricted to the large centres of southern Ontario. This is just another example of how we in northern Ontario have to suffer through rules and regulations that really should not apply to us."

That is the problem with this legislation: it has not been thought out. The government is busily going on its way, having these green paper discussions throughout the province which are an absolute joke. It appears the minister hears some of them and not others, and he certainly is not allowing to hear representations from individuals. Some of the meetings are secret. It is some consultative process.

Mr Draves goes on by saying:

"I would also like to point out that 5% of \$52.84 is \$2.64—that is going to be his increase, \$2.64—"whereas 5% of \$850 is \$42.50. All of my expenses have gone up more than 10% in the last two years for each year."

"I believe that this government assumes that all landlords are evil and are gouging tenants, and I am here to tell you that this is fundamentally incorrect. Hardworking landlords like myself help to provide affordable housing for this province. This proposed legislation is already harming small landlords and if this continues, affordable housing will dwindle quickly. Small landlords are being forced to bear the brunt of this legislation, which is completely inappropriate and unfair. Controls may be required to manage the activity of large landlords in major urban centres, but the same controls cannot apply to smaller landlords in smaller rural areas."

He concludes by saying—and I hope the member up there has listened:

"I hope that I have given you a better understanding of the situation that faces me. I now am not able to get a mortgage on the building and I am not able to raise my rents. I have spent much money and now I am having extreme difficulty figuring out any way to repay the money I borrowed. Time is not on my side."

**Mrs Y. O'Neill:** I want to make a few more comments after having heard some input from the other members. I am surprised at the statements of the parliamentary assistant because I have heard the parliamentary assistant state that this bill does indeed place hardships on both sides of

the partnerships, whether that be tenant or landlord. That statement was made by the parliamentary assistant during our hearings.

As I have said before, and I want to reiterate, this bill, and particularly its retroactivity clause, does not accomplish what this bill sets out to do, and that is to ensure a supply of good, affordable housing for tenants in Ontario.

As my colleague the honourable member from Eglinton has stated, retroactivity on a matter of medical care cannot be tolerated by NDP members of this House—it was rejected as late as last Thursday—but retroactivity on a housing issue with very, very uncertain repercussions is acceptable. Retroactivity on investment on a right of supply sends out negative, negative messages and has been accepted even with all the pleas that have been heard in the hearings and from members in this House.

So I ask, where do we go from here? What kind of dependency can we have on this government which one day accepts retroactivity on one issue, and another day on an issue which could be more meaningful for many people in Ontario rejects retroactivity? I find that there is a total lack of consideration that many of the people affected by Bill 4 are people who indeed are tenants themselves. They are small landlords who have their own homes within part of the dwelling that they share with another family and are thus classified as "landlord" but, in effect, they are "landlord-tenants."

I would like to quote from one of the people in Ottawa who presented to us:

"Another negative and unfair aspect of this bill is its retroactivity. Neither this government nor any legislative body should ever be empowered to act retroactively. This is probably the most unfair aspect of the bill. Many honest, law-abiding landlords, both large and small, made decisions under the rules and regulations that were in place. They carried out much-needed improvements, often with the support of their tenants, knowing that the income to pay for them would come through rent increases. Their banker advanced the loans knowing that funds would be available. The retroactivity has put many landlords into financial hardship. They committed themselves openly and in trust and now they must pay dearly for it."

"The NDP's dictionary must show landlords as meaning 'rich,' and this is far from the truth. Statistics show that 90% of landlords are momma and poppa operations with less than six units."

I think that is a conservative figure.

My in-basket continues to fill every day with letters about the retroactivity and its growing effects. I have everything from very, very modest handwritten notes to hard-covered books on this item that have been presented to me to show how retrograde, how unprogressive, how just inefficient this whole part of the bill is.

People in this province have spoken, and they are continuing to speak. People beyond this province, as the minister and the parliamentary assistant know, people as far away as the Pacific Rim countries, came to our committee to say how their lack of confidence has been put in place and their trust has been shaken.



We have a fundamentally unfair method of applying legislation, retroactivity being a fundamental part of the very first housing bill presented by this new NDP government. I reject the inability of this government to move on what would be a very, very helpful amendment presented by my party.

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**Ms Harrington:** I wanted to respond to some of the questions directed towards me by the member for Dufferin-Peel. Unfortunately, I did not bring my stack of letters because I could read some very moving testimony to the member that he may want to hear also.

The member asked several questions. I believe one of the first was that this government does not listen to all the people of Ontario. That is a very broad statement. That is something that is very important to this government and I would like to respond to that.

From my experience on a council, a city council, which is one aspect of politics, I have found that certain segments of our population are listened to by politicians and have very easy access to politicians and decision-making. From my experience I have found that, for instance, industry leaders, developers, tourist operators, downtown merchants all know exactly whom to call and how to get on the city council agenda and probably even how to contact Queen's Park. Probably this has always been the way, probably during the last 42 years of Tory rule in this province. I would like to say that things are changing. I believe I listen to all those people in Niagara Falls and bring their concerns here, but I also listen to those who are unemployed, single mothers, those who have not had a voice previously, who have not been heard, even those who cannot find housing.

Second, the question was raised about the quality of life that tenants will be suffering because of the NDP coming into power. Previously I did mention to members the concerns of the one piece of paper I did bring with me today, and that was the woman from Kitchener whom I had been talking to very recently. She was telling me of the situation there. I just wanted to point out to members that in various ways, whether it was her elevator service in that building, the water service, the pool which was filled with garbage and mud or the lack of security so that people were loitering in the building, I would like to tell members that tenants are suffering in all these ways.

Now the very important question that the member did ask me was, what is the message that this government wants to give to this province of Ontario, what is the legacy that we want for this province? I would like to address that. The Ministry of Housing, over the last few years, has had many programs, very divergent programs, that are all aimed to try to help various segments of this province. What I would like to have as a legacy from our government in the housing field is a co-ordinated approach to housing, and we are trying to do that. We are just beginning to piece together all the different types of programs, see how they integrate together. For instance, as members know and as we raised in the House earlier this afternoon, the minister talked about the non-profit units and the com-

munity-based units, like co-ops, that this government is now going to be building and supporting across this province, 30,000 units. People ask me, "Is this government going to turn on and off the tap, as previous governments have, with regard to housing, as our federal government is doing?" and I am saying no, we are making a commitment, knowing that this type of housing is needed.

I would like to also look at the bigger picture. The member mentioned Ontario Housing Corp. That is part of the picture of housing in Ontario that we are responsible for, and we are trying to improve that type of housing, have the people there have an input into the management and how those buildings operate, to make the quality of their life better. I would also submit that we are involved in home building, trying to get more affordable-type homes built. We are involved with municipalities, with the provincial housing policy statement that came out about a year or more ago, trying to get different types of affordable homes built.

We want zoning and bylaws to allow basement apartments, so that these large homes that we have in Ontario can be utilized more fully. Instead of, say, one older person living in a huge home, more people can be living there. Some of the zoning is from the 1950s, if members remember back that far, the Ozzie and Harriet syndrome, with nice little subdivisions, nice little homes. Those were the only kinds of homes that could be built. We are trying to change that so that we have inclusion of everyone into the housing market in Ontario. We want to encourage diversity of development. We want builders to be involved.

Last, I want to discuss the private rental market, which is what my colleague has questioned me about. Let me just say off the top that there is no way, obviously, that this government could or should buy out the huge private rental market in this province. This is something that is very important to the landlords and the tenants of this province. The private rental market has to supply the majority of housing in this province. We realize that. I would like to tell members that we need a healthy market, and so we believe that, working with landlords and tenants, we can develop a system that will give landlords a fair investment and that will give tenants real protection.

Obviously the only way we can prove that to the opposition, to anyone in this province, to ourselves, is to be very serious and work towards this over the next four years. That is the legacy we want to leave Ontario. The only way it can be proved whether we can accomplish this, as the member is saying, is in the next election. It is going to be four years, and that is where we are going. We want a fair system, a good system, a system that works.

I would just like to end by saying that the many people who did vote in September voted in good faith. They voted in good faith for change in the system of the RRRA, and that is what we are doing.

**Mr Mancini:** We have gone through a process to arrive at the point where we are today in the Legislature.

**Mr Bradley:** Is this on Algonquin park?

**Mr Mancini:** No, they are going to allow hunting and fishing and shooting and row boats and speed boats and



lumbering and all kinds of things in Algonquin park, but we will save that for another day.

We have gone through a process to arrive at the point where we are today; not a process that the opposition party and hundreds and possibly thousands of people across Ontario have been happy with, but none the less, we went through a process. We and thousands of people across the province have tried to explain to the government in a clear and concise way why retroactivity is bad. As a matter of fact, while we had delegation after delegation of small landlords appear before us, most of them in tears by the time they finished making their presentation, we heard from the parliamentary secretary at the time, and she stated on more than one occasion, that the government members, and herself in particular, were there to listen. They were there to listen to the individuals who were allowed to speak.

I should add at this point that more people were not allowed to speak than in fact were allowed to speak. That is a first in the history of Ontario politics, where a committee of the Legislature denied more organizations, individuals and groups, more in number the right to speak than in fact the number that did speak. And they did it without, in my view, any regret, which in fact surprised me.

1740

But getting back to the point, we heard day after day, time after time from the parliamentary secretary that in fact she wanted to help them. She used those words over and over. She was happy that they came before the committee—and I am talking about the small landlords in particular, the ones who are facing imminent bankruptcy—and she said she wanted to help them, she would consider what they had to say. It appears that she has heard very little of what they had to say, because the government refuses to move on the matter of retroactivity.

What are we asking the government to move on? Are we asking the government not to prevent large rental increases? No, we are not asking the government to do that. We have offered to help the government do that. Have we asked the government to in fact stop a review of all the programs that the parliamentary secretary talked about earlier on? No, we have not asked the government to do that. Have we asked the government to in any way take away rights from tenants? No, we have told the government we are interested in helping the government ensure that the tenants have the rights that they need and deserve. We have said all of these things.

What we have asked the government to do is not to make illegal an action of a landlord that was legal at the time. That is not right. It is not right that individuals in this province follow the law, follow the letter of the law, go before tribunals of the government, get decisions according to the law, invest thousands of dollars, invest their families' life savings, years and years of effort and work, and then have a government which has been swept into office which said—

**An hon member:** By accident.

**Mr Mancini:** Yes, they were swept into office by accident, but we remember what they said. They said they

were going to have standards in government that were higher than any previous government. That is what they said.

What do these standards include today? They include making illegal what was legal before, entrapping Ontario's citizens and forcing them into situations where they will lose their life's assets, their family assets, everything that they worked for, everything that they have saved, and for what reason? What did they do that was wrong?

What did these small landlords who appeared before our committee day after day, and as I said earlier, most of them finished in tears because they are on the brink of bankruptcy, what did they do that was wrong? What did they do that was illegal that they should merit such treatment from a government that said that its standards were going to be higher than any other standards before that we have seen in government in the Legislature or here in the province of Ontario?

I will tell members what they did that was wrong. They do not fit into some ideology or some make-believe world that the NDP believes exists out there. That is their mistake.

Do the people across the floor not understand what it means when you go to the bank and you borrow money and you sign your name and your assets and your family's name, your family's assets, to the bank note? Do they not know what it means that, before doing this, before going to the bank to in fact do this, every approval process was obtained?

Many of the landlords came before us and they said not only did they go to the government tribunals, not only did they follow the letter of the law, but they actually went to the tenants themselves. Does the parliamentary secretary remember that? Does she remember the small landlords who came before our committee and said to us, "We visited every tenant and we said to the tenants, 'Here is a list of capital works that we wish to undertake; please tell us if you agree with that list'?" She will remember that they told us, numerous of these landlords, that the tenants in fact signed off, and when individual tenants said they did not agree with particular capital works, they were taken off of the lists for their particular units? I remember that very clearly. I remember that.

So not only did they follow the letter of the law, but they went to the tenants and they said, "Help me as your landlord serve you, but while we're doing this, you must know that there's going to be a cost," and they knew what the cost was going to be. It is a sad day when landlord and tenant relations of such a nature are interrupted at will and without reason by the government.

The parliamentary secretary says to us today, "Well, there's 130,000 tenants who are going to face rental increases if we in fact do not move forward with the retroactivity." Then she announces to us that, I cannot remember the figure, tens of thousands of people in fact are going to face these increases. I cannot remember the figure that the parliamentary secretary says.

But what we have heard from that explanation is that the law is neither fish nor fowl. Some are going to go through, based on what principle? Some are not going to go through, based on what principle? On numbers alone?



that the principle of law? Is that why we are going to make whatever was legal at the time illegal, because the number is 130,000, I say to the parliamentary secretary, or is there a logic? Is there reason in law? Is there any reason whatsoever that she can give to this House today, other than the 130,000, while at the same time justifying the increases that they have allowed?

We have neither fish nor fowl here. What we have is a struggling government desperately trying to pretend that it is keeping some promises while it knows the damage that is wreaking. They know very well.

We heard from the trades that repair buildings. They came before us. Do members remember the glass manufacturer who had several hundred thousand dollars' worth of glass in the warehouse? Do they remember that he had received a phone call from the owner of a building who said, "Forget about the glass, we can't put it up because the NDP won't allow our capital costs to be passed through"? Do members recall what he said, that this was causing his company financial problems? It was going to affect his workforce, meaning people were going to be laid off. How many jobs are we going to steal because the NDP wants to make illegal what was legal last year? How many jobs are we going to steal in the renovation industry?

**Mr Mammoliti:** Talk to Brian.

**Mr Mancini:** The member understands building trades, and he knows that building trades depend on work. My colleague across the floor knows this. He in fact worked in part of that sector. If the small companies in the building trades do not have landlords calling them to repair the buildings, those people are going to be out of work. The government is stealing their jobs. It is that clear, it is that fundamental. They had better face up to the facts. They have put thousands of people out of work. Many of them came before our committee and told us what they are doing.

Do members remember the trade union leader who told us one day during our committee hearings that the renovation section of the construction industry was the only part of the construction industry that was not in recession—the only part until the government introduced Bill 4 with its retroactivity. Do members remember what he told us after? My colleague across the floor will. He then told us about the steep rise in unemployment in the renovation industry, which is a large segment of the construction industry. I

remember what that individual told us. I remember. People lost their jobs.

That is the bottom line. That is what retroactivity is doing. That is what Bill 4 is doing. It has nothing to do with protecting tenants who cannot pay the rent, because time after time the government was asked by my colleagues on the committee, "Is this bill going to help anyone who has affordability problems today?" The government's answer time after time was no, because it is doing nothing to help tenants, poor tenants, who cannot pay their rent. They have some kind of idea that if they introduce Bill 4, people will think that they somehow kept a promise that they made in the election and will forget everything else that is caused by Bill 4.

We know Bill 4 does not keep their election promise. We know that. It has been written about. It has been talked about. It has been commented on by everyone. What is more important is, when are they going to face up to the negatives of Bill 4? When are they going to face up to the fact that they have made illegal actions which were legal? What fairness is there in that?

On motion by Miss Martel, the committee of the whole reported progress.

1750

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

#### ROYAL ASSENT

**Hon Mr Alexander:** Pray be seated.

**The Speaker:** May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed a certain bill to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

**Clerk Assistant and Clerk of Journals:** The following is the title of the bill to which Your Honour's assent is prayed:

Bill 32, An Act to amend the Regional Municipality of Ottawa-Carleton Act and the Municipal Elections Act.

**Clerk of the House:** In Her Majesty's name, His Honour the Lieutenant Governor doth assent to this bill.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

The House adjourned at 1757.



ERRATUM

No.	Page	Column	Line	Should read:
11	481	1	45	John Yovanov and Archie McCoy . . . . . 443 Mr Abel



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
<b>Akande, Hon Zanana L.</b>	St Andrew-St Patrick	NDP	Minister of Community and Social Services
<b>Allen, Hon Richard</b>	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
<b>Boyd, Hon Marion</b>	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
<b>Buchanan, Hon Elmer</b>	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
<b>Carter, Hon Jenny</b>	Peterborough	NDP	Minister of Energy
<b>Charlton, Hon Brian A.</b>	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
<b>Churley, Hon Marilyn</b>	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
<b>Cooke, Hon David S.</b>	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
<b>Coppen, Hon Shirley</b>	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
<b>Farnan, Hon Mike</b>	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
<b>Gigantes, Hon Evelyn</b>	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
<b>Grier, Hon Ruth A.</b>	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Hampton, Hon Howard</b>	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	
Kwinter, Monte	Wilson Heights	Lib	
<b>Lankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Martel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	
Morin, Gilles E.	Carleton East	Lib	Parliamentary assistant to the Solicitor General
Morrow, Mark	Wentworth East	NDP	Deputy Speaker, Chair of the Committee of the Whole House
			Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>North, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
<b>Philip, Hon Ed</b>	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
<b>Pilkey, Hon Allan</b>	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
<b>Pouliot, Hon Gilles</b>	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
<b>Rae, Hon Bob</b>	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
<b>Swarbrick, Hon Anne</b>	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
<b>Wark-Martyn, Hon Shelley</b>	Port Arthur	NDP	Minister of Revenue
<b>Warner, Hon David</b>	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
<b>Wildman, Hon Bud</b>	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

## COMMITTEES OF THE LEGISLATIVE ASSEMBLY

### STANDING COMMITTEES

#### Administration of justice

Chair: Drummond White

Vice-chair: Mark Morrow

Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Fred Wilson, David Winninger

Clerk: Lisa Freedman

#### Estimates

Chair: Cameron Jackson

Vice-chair: Margaret Marland

Members: Gary Carr, Hans Daigeler, Ron Hansen, Karen Haslam, Wayne Lessard, Dalton McGuinty, Lyn McLeod, Anthony Perruzza, Margery Ward, Gary Wilson

Clerk: Franco Carrozza

#### Finance and economic affairs

Chair: Jim Wiseman

Vice-chair: Ron Hansen

Members: David Christopherson, Norman Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Chris Stockwell, Barbara Sullivan, Kimble Sutherland, Brad Ward, Margery Ward

Clerk: Todd Decker

#### General government

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Vice-chair: Michael A. Brown

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Clerk: Deborah Deller

#### Government agencies

Chair: Robert W. Runciman

Vice-chair: Allan K. McLean

Members: James J. Bradley, Robert Frankford, Bernard Grandmaître, Karen Haslam, Pat Hayes, Dalton McGuinty, Tony Silipo, Chris Stockwell, Daniel Waters, Jim Wiseman

Clerk: Douglas Arnott

#### Legislative Assembly

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Vice-chair: Ellen MacKinnon

Members: Mike Cooper, Robert Frankford, Margaret Marland, Irene Mathysen, Carman McClelland, Gilles E. Morin, Sharon Murdock, Hugh P. O'Neil, Stephen Owens, Noble Villeneuve

Clerk: Douglas Arnott

#### Ombudsman

Chair: Mark Morrow

Vice-chair: Drummond White

Members: Alvin Curling, Noel Duignan, Joan M. Fawcett, D. James Henderson, Bob Huget, George Mammoliti, Irene Mathysen, Bill Murdoch, Paul Wessinger, Elizabeth Witmer

Clerk: Franco Carrozza

#### Public accounts

Chair: Robert V. Callahan

Vice-chair: Dianne Poole

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Clerk: Tannis Manikel

#### Regulations and private bills

Chair: Kimble Sutherland

Vice-chair: Lawrence O'Connor

Members: Donald Abel, Will Ferguson, Derek Fletcher, Paul R. Johnson, Leo Jordan, Ellen MacKinnon, Frank Miclash, Tony Ruprecht, John Sola, Jim Wilson

Clerk: Todd Decker

#### Resources development

Chair: Bob Huget

Vice-chair: Daniel Waters

Members: Ted Arnott, Brian A. Charlton, Marilyn Churley, John C. Cleary, George Dadamo, Leo Jordan, Paul Klopp, Steven Offer, David Ramsay, Len Wood

Clerk: Harold Brown

#### Social development

Chair: Elinor Caplan

Vice-chair: Joseph Cordiano

Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer

Clerk: Lynn Mellor

### SELECT COMMITTEE

#### Ontario in Confederation

Chair: Tony Silipo

Vice Chair: Gilles Bisson

Members: Charles Beer, Marilyn Churley, Ernie Eves, Charles Harnick, Margaret Harrington, Gary Malkowski, Steven Offer, Yvonne O'Neill, Fred Wilson, David Winninger

Clerk: Tannis Manikel

### SPECIAL COMMITTEE

#### Parliamentary Precinct

Co-Chair: David Warner

Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Irene Mathysen

Clerk: Smirle Forsyth



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# Legislative Assembly of Ontario

First Session, 35th Parliament

# Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Official Report of Debates (Hansard)

Tuesday 9 April 1991

## Journal des débats (Hansard)

Le mardi 9 avril 1991



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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### **Table des matières**

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 9 April 1991

The House met at 1330.

Prayers.

## MEMBERS' STATEMENTS

### HUNTING IN ALGONQUIN PARK

**Mr Ramsay:** Today I would like to draw the members' attention towards the present situation in Algonquin Park. On Thursday 28 March the Ad Hoc Committee to Save Algonquin Park held a press conference, as I am sure the Minister of Natural Resources is aware. This is a recently formed grass-roots committee that has been formed because people are very concerned about the future of Algonquin Park.

This committee, like many members of this House, is very concerned that the minister proceeded with little or no consultation before his 18 January decision to allow unlimited hunting and fishing in the park and unlimited access for motorized vehicles and motorboats by the members of the Golden Lake Indian Band in Algonquin Park.

At the recent Toronto Sportsmen's Show the committee distributed over 8,000 leaflets petitioning the government to rescind this NDP initiative.

Today I would like to formally present to the minister on behalf of the committee this small portion of these signed leaflets. I am sure that many more have been received by the minister's office as well as that of the Premier.

### AUTOMOBILE INSURANCE

**Mr Runciman:** At 3:15 this afternoon at Queen's Park a coalition of victims' rights groups will hold a news conference to respond to the government's recent musings suggesting that it is breaking its promise to restore the right to sue to innocent accident victims. These organizations represent the concerns of accident victims who, through no fault of their own, have had their lives changed dramatically. Because of the Liberal no-fault legislation, they have no right to recoup their true economic losses and they have lost the right to seek compensation for future lost income.

Every member of our society has the potential to become an innocent accident victim. Currently the unfair and discriminatory insurance legislation created by the former Liberal government denies thousands of innocent victims the fundamental right to sue for pain and suffering. That is why the present government must honour its commitment to the people of Ontario to restore the right to sue for innocent accident victims.

Even more sadly, this government, which promised voters last summer that it was committed to restoring the right to sue, may break that promise. These victims were important during the election campaign, but now the government is choosing to relegate them to a vacuum in our society where they will be forgotten and denied their fundamental rights.

The Premier must ignore his no-tort troika on the front bench and exercise true leadership. He must restore the right to sue immediately for the innocent accident victims of Ontario.

### ANNIVERSARY OF LAMBTON FEDERATION OF AGRICULTURE

**Mrs MacKinnon:** During the past weekend it was my pleasure to attend the 50th anniversary of the Lambton Federation of Agriculture.

The founding meeting of the federation was held in April 1941 and in the years to follow several of the county's commodity organizations were formed, such as wheat, hog, sugar, egg, honey and vegetable producer groups.

The early federation pioneered the Lambton Film Council that took a film projector and National Film Board movies to one-room schoolhouses between 1946 and 1969. To provide health care insurance to farmers, the federation was involved in the early formation of the Lambton Co-Operative Medical Services Organization. The county federation action in 1968 led to a decision by the Ontario Federation of Agriculture to withhold property taxes, which in turn led to property tax rebates. This has saved farmers considerable amounts of income in the years following this accomplishment.

Currently the federation has 1,100 members, which amounts to about one third of the farm population in Lambton county. Some of the interests of farmers that the Lambton Federation of Agriculture is working on this year are the new tree-planting bylaw, presenting briefs to our local politicians, the Ontario Federation of Agriculture tent at the 1991 plowing match and the never-ending canvassing for members to keep the organization strong and effective.

The county of Lambton is very fortunate to have such a dedicated and productive organization working for the best interests of the farm community in Lambton and in Ontario.

### TWINNING OF AURORA AND LEKSAND

**Mr Beer:** On 27 March the town of Aurora had the pleasure of welcoming some 61 residents of Leksand, Sweden. They are on a two-week friendship visit which will end this Thursday 11 April. The two towns have been officially twins since 1975, although they have been involved in a variety of exchanges for some 20 years, since 1971.

The visits combine social, athletic, governmental and business elements. This year, for example, a minor hockey team from Leksand has played a number of games with Aurora and other area hockey teams and, I might add, has done very well.

The Swedish group is led by the vice-mayor of Leksand, Lasse Nyburg, and last week he and Mrs Ingrid Sohlin of the Swedish delegation visited the Legislature in Metropolitan Toronto. While here, other members of the



delegation are looking at how our system of local government works and at a number of environmental issues.

I want to congratulate Mayor John West, members of his council, members of the Aurora legion and all those who helped to organize this exchange. The twinning of towns and cities from country to country is an important way of building better understanding between peoples of different nations.

At the welcoming brunch given by the town on Easter weekend, it was clear that even after just a few days, new friendships were being made and old ones cemented. We must never underestimate the power of people to build strong bridges through programs such as the Aurora-Leksand twinning program. May they have many, many more.

RICHARD BRENNAN

**Mrs Cunningham:** I rise today to congratulate on behalf of my party the new president of the Queen's Park press gallery, Richard Brennan of the Windsor Star.

Richard was named new gallery president this morning by acclamation. This marks the second year in a row that the election for president has been uncontested, a fact which leads me and many of my elected colleagues in this chamber to wonder just why the press gallery is so afraid of a good, old-fashioned election campaign.

That aside, I think the change at the helm of the press gallery today is a significant one. Richard's election, following on the heels of outgoing, two-term president Leon Korbee of CKCO-TV in Kitchener and CJOH-TV in Ottawa, shows once again the importance of regional media outlets at Queen's Park.

While we have to admit that our regular question period committee meetings would be lost without our morning dose of the Toronto daily press clippings, I think we all recognize the role that the regional press at Queen's Park plays in lending a fresh perspective to the news around us. In fact, it is the regional recorders here at Queen's Park on whom many of us rely.

Richard, who it seems has left no newspaper unturned in his effort to put a Richard Brennan byline in every print outlet in this province, will, I am sure, bring his down-home Brantford good sense to the position of president.

I hope all members of the House will join me in congratulating Richard and other members of the Queen's Park press gallery executive, Randy Rath, Paula Todd, Jill Troyer and Emilia Casella.

1340

#### ALCOHOL AND DRUG ABUSE

**Mr Huget:** The Chippewas of Sarnia reserve has recently completed a comprehensive substance abuse assessment under the direction of a local steering committee mandated by the band council. The Chippewas of Sarnia identified alcohol and drug abuse as a serious problem in their community and one that affected every aspect of community life. The band council decided that if it was to provide direction towards building a community which balances the cultural, social, physical and economic needs

of all of its members, it must provide leadership in addressing the problem of substance abuse.

The council therefore is introducing a policy of limited tolerance with respect to the use of alcohol and drugs in its community. The policy will address the various aspects of substance abuse and will include intervention and treatment strategies, control measures, community awareness programs and the development and enforcement of appropriate bylaws and codes of conduct. In addition, band funds will not be used to sponsor or promote events where alcohol or drugs are available and band programs and community organizations will be encouraged to hold community events and activities that are alcohol- and drug-free.

I hope all members of this House will join me in congratulating the chief and council for taking this very important self-initiative and commend their leadership and commitment to improving the quality of life on the Chippewas of Sarnia reserve.

#### CANADIAN FORCES OVERSEAS

**Mr H. O'Neil:** I am sure the honourable members are well aware of the Canadian navy ships which sailed for the Persian Gulf, the CF-18 fighter aircraft which were deployed at Qatar and the field hospital Canada sent to Saudi Arabia.

However, a major and vital part of Canada's contribution may not be as well known to all; that is, the men and women of the air transport group at Canadian Forces Base Trenton located in my riding of Quinte. During the last eight months they mounted the largest airlift in modern Canadian Forces history. Some 2,000 men and women of the air transport group in Canada and more than 450 aircrew and groundcrew, principally from Trenton, were deployed to Germany, the Mediterranean and the Gulf. These people airlifted Canadian Forces personnel and equipment almost halfway around the world, sustained them with daily flights and are now completing their redeployment home—nearly 15,000 flying hours in all.

These unsung heroes were literally the first Canadians into the Gulf and will be the last out. They worked extremely long hours under very challenging conditions: under threat of chemical and biological attack, were scudged and were required to fly air-refuelling, resupply and communications missions in a complex and difficult air environment, which as we know included thousands of combat sorties per day.

I am proud to represent the many men and women of Canada's air transport group at Canadian Forces Base Trenton, whose outstanding effort certainly contributed to the coalition victory and helped free Kuwait.

#### PLANT CLOSURE

**Mr Jackson:** As the member for Burlington South and with the assistance of the member for Oakville South we will today table petitions signed by the 550 workers at Tridon Ltd in both Oakville and Burlington before this House, but I would also like to send copies of the petition to the Premier and the Minister of Labour.



It is no secret that the prime reason for closures such as Tridon's is Ontario's weakened economic grip on the competitiveness in our marketplaces. Since the NDP came to power, with its determined unwillingness to assist companies with their heavy tax burdens, even more plants are now closing. For example, Tridon paid about \$400,000 last year with the employer health tax, and in addition it spent over \$700,000 in workers' compensation costs alone.

Where was this government with needed tax breaks and other forms of assistance for companies like Tridon? In his throne speech, this Premier promised co-operation with all sectors in society. What he has created, however, is isolation and confrontation with that sector.

Where is the government's program for job retraining? The labour adjustment committee, started just last week, seven months after the closure announcement at Tridon, amounts to less than \$200 per worker; 75% of the workers at Tridon are women and to date only 10 of the 550 workers have found other jobs, and they are concerned that these adjustment committees are inexperienced and they should be asked to react quickly with specific retraining programs and skill linkages. It is in this climate in this province that this government must focus its energies and its resources towards stimulating these companies, not confronting them during these economic times.

#### PLANT CLOSURE

**Mr Wood:** As the members are well aware from televised reports, a large rally was held last week in the centre of the town of Kapuskasing involving thousands of men, women and children. They were in opposition to a decision made by the management of Spruce Falls Power and Paper Co. to shut down three of the mill's four paper machines and lay off 1,200 workers by 18 November of this year. Some 1,600 employees have been working without wage increases since 1 May, which leaves less money in the communities to be spent.

This past Saturday the Minister of Northern Development, along with the Minister of Mines, joined me in Kapuskasing where we spent the day listening to and consulting with the mayors and reeves of the 14 towns making up the Northeastern Ontario Municipal Association about this situation. We also met with the representatives of the Spruce Falls Purchase Employees Group and members of a group called Friends of Kapuskasing. To finalize the day, we met with representatives of labour groups in Kapuskasing and surrounding area, as well as the local labour council. The community has shown complete solidarity in opposition to the massive layoff and has requested the Ontario government to do everything within its means to protect jobs in this small town under crisis.

I would like to thank the honourable ministers for their welcome participation, as well as other members of the cabinet, along with the Premier, for their ongoing efforts in finding a solution to this very serious crisis.

#### MEMBERS' PRIVILEGES

**The Speaker:** On Tuesday 2 April 1991, the member for Dufferin-Peel rose on a question of privilege. He informed the House that he had received a letter from a

solicitor for a provincial civil servant concerning a 1 March 1991 radio broadcast of remarks the member made in a recorded interview with a reporter, and questioned whether the letter amounted to a breach of privilege or a contempt of the House for obstructing, threatening or attempting to force or intimidate a member of the assembly, as prescribed by paragraph 45(1)2 of the Legislative Assembly Act.

I have carefully reviewed the member's submission, the transcript of the broadcast in question, and the relevant parliamentary authorities and precedents and I am now in a position to report to the House.

Section 37 of the Legislative Assembly Act, which enacts the common law rule of freedom of speech, provides as follows:

"A member of the assembly is not liable to any civil action or prosecution, arrest, imprisonment or damages, by reason of any matter or thing brought by him by petition, bill, resolution, motion or otherwise, or said by him before the assembly or a committee thereof."

This most fundamental privilege of members allows members to express their views in proceedings in Parliament without fear of an action for libel or slander. Although what constitutes a proceeding in Parliament may encompass circumstances beyond the formal transaction of business in the assembly or its committees, I am of the opinion that I would be extending the definition of privilege too far if the remarks of the member made in an interview outside the chamber some months after questions were posed and answers made in the House and possibly in changed or different circumstances were included.

I have also considered whether the sending of the solicitor's letter arising out of the member's remarks on the radio broadcast constituted an improper means of interfering with or influencing the member in his parliamentary conduct. The solicitor's letter cited by the member referred to legal proceedings contemplated against the member as a result of further repetition by the member of statements made in the radio broadcast or similar allegations made by the member outside the Legislature. This letter does not relate to a proceeding in Parliament and does not appear to be calculated to affect the member's course of action in the assembly or its committees. As such, I am of the opinion that it does not constitute an obstruction, attempted intimidation or intimidation of the member in his parliamentary conduct.

Therefore, in the circumstances in this matter, I find that a *prima facie* case of privilege has not been established.

I thank the member for Dufferin-Peel for providing me with advance notice of his concerns and trust that my ruling may offer some guidance to all members.

1350

#### ELECTORAL REPRESENTATION

**Mr Bradley:** Mr Speaker, on a very brief point of privilege for you to entertain: I noted yesterday that the member for St George-St David rose in the House with regard to an alternative provincial representative in a constituency, and I think it is unfair and certainly it affects my privileges that I am not informed who the alternative



provincial representative is for the provincial constituency of St Catharines.

**Hon Mr Wildman:** Oh, that was shown to be completely incorrect.

**Mr Bradley:** You will find that right across the province of Ontario—because the Minister of Natural Resources does intervene—the calls are coming in from across the province of Ontario indicating who this person is. The reason I say this is that I would like to know how much of my constituency office salary I should allocate to this person, whether I should allocate some room in the constituency office and how much of the workload the person would like to share with me.

**The Speaker:** This is certainly a point of some considerable interest as generated from yesterday's discussion in the chamber. It is definitely not a point of privilege. Surprise.

**Mr Nixon:** I ask for the consent of the members so that the House may mark the passing of a former member.

Agreed to.

#### RICHARD TAYLOR

**Mr Nixon:** The death of Richard (Dick) Taylor in Bermuda on Sunday marked the passing of a great Canadian and a very useful resident of the province of Ontario.

He served in the Legislature—and I was a colleague of his—from 1963 to 1967, representing the constituency of Timiskaming, and brought forward in a moderate, well-informed way not only the issues from the north and north-east, but had a clear understanding of many of the issues that we face even today.

He had extensive experience in the school board locally and the hospital board, and also was a very successful businessman as president of Taylor Hardware and one of the business people who really founded and expanded the northern telecommunication system.

I was very pleased indeed when he decided to enter the Legislature, and found working with him a great pleasure. As a matter of fact, we had a very close personal relationship and at one stage he acceded to my request to be chairman of a campaign committee in preparation for the election of 1967. I had only entered the leadership a few months before that election campaign, rather unexpectedly and, I assure you, Mr Speaker, reluctantly. Dick was one of the many friends I had at that time who were prepared to come forward and assist. While that is just of peripheral interest to most of the members of the House, it is an indication of how much confidence I had in his judgement and his capability.

I would just say that from my point of view his service in the community and this House was honourable and effective, and from my point of view, I have lost a very good friend. He and his wife and family were well regarded here and, of course, in their own community, and I know that we extend our condolences to them.

**Mr Ramsay:** I would just like to add my condolences on my behalf and also on behalf of the people of Timiskaming whom I represent. I would just like to add that I have been a personal friend of the Taylor family for

the last 16 years and I would like them to know that we all share in their grief today.

**Mrs Cunningham:** The members of our caucus and certainly former members who served in the House with Mr Taylor would like to extend our sincere sympathy to Mrs Taylor and members of her family, and equally to Mr Nixon, who was his personal friend, at his loss.

I find myself at a bit of a disadvantage, as do other members of the House, I am sure, but I think it is very appropriate to perhaps remind the House of some of the interests of Mr Taylor as he worked so hard on behalf of his constituents from Timiskaming. So I would like your indulgence, Mr Speaker, to just read his words into the record as he himself read them in the speech from the throne on 10 February 1964, just to remind us that some things have not changed the way he would have liked and that it is our responsibility to continue on.

He said: "We in northern Ontario feel, and with considerable justification, that the rest of the province does not understand nor is it concerned with our development problems. We feel that only in so far as our natural resources can produce immediate revenues is the province as a whole interested."

He goes on in that throne speech debate to say, "We feel that the province listens only with one ear when northern problems are being discussed and, again, in Ontario it will only be by recognizing and understanding northern problems and encouraging northern development that our province will maintain its position as the leading province of our Dominion." The challenge is still there, and I think former members of this House and certainly Mr Taylor would be most appreciative of our ongoing efforts.

**Hon Miss Martel:** I had hoped that my predecessor had served long enough in this place so that he might have been able to relate to me some stories about Mr Taylor, but alas, the only person who can do that now is the member for Brant-Haldimand.

I would like to say, though, on behalf of our party, that we would like to extend our condolences to the family. In reading through the biography of Mr Taylor it was evident that he had a very colourful and exciting career in business, both in the telephone and mining sectors. I would suggest to all members that the four years that he spent here were, as we all hope, probably ones in which he dedicated a great deal of his time to the north and tried to make a contribution not only with respect to his own riding but with respect to dealings right across the province of Ontario. It is what we all hope we can do at the end of the day and I guess an expression that we all hope someone will pass on to us as well. So on behalf of our party, I would like to extend our condolences to the family at the passing of Mr Taylor.

**The Speaker:** The kind and thoughtful contributions by the members who have spoken today will of course be sent along with our deepest sympathies to the Taylor family.



## ORAL QUESTIONS

## INTERNATIONAL TRADE

**Mr Nixon:** I have a question of the Premier. I understand that he met with the President of Mexico. He did not meet with the President of Mexico, he indicates by shaking his head, but may later in the day. In that connection I know that the House is interested, indeed, in statements made by the Minister of Industry, Trade and Technology, reported this morning, that he is going to try to form alliances with various American interests who are opposed to trilateral free trade.

I wonder if the Premier could indicate what those alliances might be, what groups in the United States might be associated with efforts made by the government of Ontario and if in fact part of the budget of the Ministry of Industry, Trade and Technology or of any other part of the government is going to be allocated in this regard.

**Hon Mr Rae:** I can simply report to the House, first of all, that as scheduled I will be meeting with President Salinas later on this afternoon and I will be accompanied by the Minister for Industry, Trade and Technology. I anticipate a good exchange with the President. I am glad he has come to Canada and I am glad that he has come to have this exchange. I should also add to the Leader of the Opposition that over the next couple of weeks I understand the Mexican Leader of the Opposition is also coming to Canada and to Toronto, and if it is possible I hope I will be able to meet with him.

I think what is planned, quite simply, is that we will as a government express our views very clearly. We will obviously be listening and watching the debate as it unfolds in the United States Congress and our views will be expressed very clearly, alongside those many others who feel very strongly that given the experience we have had as a people with the first round in the North American free trade round, the protection of the interests of working people, of businesses that are working here, as they are elsewhere, is critical.

The question of environmental protection, the question of social standards, the question of labour standards: These are all issues which relate to the proverbial level playing field. I have met with various businesses. I have met with those who are in favour of this and we have met with those who are opposed. We will express very clearly, in every way possible, the views of the people of Ontario—I believe the majority of the people of the province—that the trade policies of the federal government and the approaches that are being taken are not at this point in the best interests of the people of the country.

1400

**Mr Nixon:** I noticed in the Toronto Sun for 7 February that the Premier said, "I'm not going to stand here and promise that I can stop something when I'm not convinced that that's exactly what I can do." Another quote from the Minister of Labour, in his own inimitable style, "I'm not sure what the hell we can do about it." Since the Premier and the minister's colleague the Ministry of Industry, Trade and Technology stated quite clearly that he was allying himself with American opponents to the trilateral

agreement, I thought it would be appropriate if the Premier would tell us what those American forces are against the trilateral agreement are whom we are being allied, and indicate what resources are going to be put into a program which the Premier says nothing can be done about.

We can debate the efficacy of trilateral free trade, either now or on another occasion, but the question has to do with the minister's indication that somehow we are forming alliances with American interests in this regard.

**Hon Mr Rae:** This is going to be a debate across North America. Let me stress to the Leader of the Opposition that between now and 31 May, as he no doubt is aware, we have no means in Canada of changing the policies of the federal government, because they are carried out by executive fiat. In the United States, as the Leader of the Opposition well knows, between now and 31 May the American Congress is seized of an important question, and that is whether or not the negotiating process will be fast-tracked. He knows that full well.

Finally, there is a debate going on in Mexico itself, which is entirely healthy, as there is here. We have, we hope, three open societies in which governments are free, as are people, as are interest groups of all kinds, to express their views with respect to this issue. The view of the government of Ontario is very clear. We are going to be doing what we can to advance the interests of the people of the province of Ontario and to work with those groups through our society and in others which share our view. I think it would be rather strange if we were to sit back and do nothing in the face of these developments.

**Mr Nixon:** The Premier, following the news as carefully as he does, would know that 50 workers at the Pene-tanguishene TRW seatbelt assembly belt have been laid off this week, as their jobs are being transferred to Mexico, and a Mexican GM plant recently was awarded a trim contract for Firebirds and Camaros to be produced in Quebec beginning in 1992. The contract was taken away from the GM trim plant in Windsor and affects 80 jobs. These things are similar in their impact.

I simply want to ask the Premier, who has strong views on this, as have many members of this House, to which organizations in the United States we are allying ourselves and, if in fact money is being made available to fight a battle that the Premier indicates cannot be fought here, that are we in fact allying ourselves with American interests specifically and, if so, who are they and what money is involved.

**Hon Mr Rae:** The member talks about American interests or US business interests or whatever. I have made it very clear. There are a variety of groups. First of all, let me answer his first question, if I can, as directly as I can. His first question was, is money being allocated and is money being transferred or something, innuendoes to that effect. The answer to that question is no, as clearly as I can state it.

Obviously the government, through its trade offices in the United States, through its representation which it makes as a government, as other governments will do, has expressed its views very clearly. The Ministry of Industry,



Trade and Technology is conducting a great deal of work in this area. We are developing as much expertise as we can and we intend to share that information with the House as we develop it, with the public and with everyone, so people can see that the impact of this deal, if it proceeds in the way in which it is proposed to proceed both by President Bush and by Prime Minister Mulroney, this will have a very negative impact on Ontario's economy. I think we are entitled to share that information, to invest some taxpayers' dollars in protecting the interests of people. That is the extent of what we are doing.

**Mr Nixon:** The only information the Premier will not share with the House is the answer to my question, reiterated twice.

#### FOOD BANKS

**Mr Nixon:** I have another question for the Premier that, once again, is based on a quote associated with his campaign, "It is wrong in a province as rich as Ontario that there even needs to be food banks," 4 August 1990; and another one from the honourable Minister of Community and Social Services, for whom I have a high regard, of 9 April, "To say that we would effectively end them during this term would be impossible."

Will the Premier indicate what the policy of the government is in this regard? Is it as stated a year ago when he was seeking election or is it as his minister has stated, which is really a rather weak approach to the situation, where she indicates that it cannot be solved?

**Hon Mr Rae:** I am going to refer this question to the Minister of Community and Social Services.

**Hon Mrs Akande:** I must say that certainly it is the goal of this government to eliminate the need for food banks, and to that end we have been working consistently. Since my appointment and since our arrival as the government we have done many things which seek to do that.

**Mr Nixon:** In the Legislature on 18 December 1989, not so long ago, the present Premier, then Leader of the Opposition, said, referring to the then Premier, "I want to know why he cannot set a target, why he cannot stand up in this House and say that, as far as the government of Ontario is concerned, there will be no food banks in operation after 1990."

It is not enough to say, "That was then, now is now." This is a need that is felt in this city and in this province and something associated directly with the election of the NDP. There were many reasonable people who responded to the criticism of the then Leader of the Opposition about the Peterson government, that although we were doing what we felt we could do, it was insufficient and they voted for them and voted against us.

For the minister to indicate that the solution is not apparent for the next five years is irresponsible of herself and the Premier of the province. What can she tell this House is going to move towards the solutions that all of us will support here, and not the timetable that she has indicated is slippery and without function?

**Hon Mrs Akande:** Actually, what I have identified for this group is that in fact this government has already

begun to eliminate the need for food banks. I will be very happy to recount what we have done. We have in fact added the increases to social assistance which have resulted in the reduction of—

Interjections.

**Mr Speaker:** Final supplementary.

**Mr Nixon:** I think the minister would—I am sorry, is the minister going to go on?

Interjections.

**Hon Mrs Akande:** If I may finish, we have increased those increases, which have resulted in a reduction of people going to food banks, which has been reported in the newspapers. We have added workers to make people much more quickly eligible for FBA, and that of course puts money in people's pockets.

We have in fact initiated in this House an act which would make people responsible for the support of their children, legislation which, by the way, is being held up in committee by the opposition. That would put considerable money in people's—

Interjections.

1410

**The Speaker:** Could I just have a moment. I appreciate that occasionally there are questions asked when the people who are having questions asked of them who are not particularly happy with the questions. Sometimes there are responses given and folks listening to the responses are not particularly happy. But what would certainly make me happy is if those who are receiving the questions could listen to them and those who are receiving the responses could listen to those. I take it that the minister was about to complete her response without being provocative.

**Hon Mrs Akande:** Thank you, Mr Speaker. Once again, may I say that we continue to work. We have moved to make possible a great deal of responsibility and response by the municipalities, through our actions giving some assistance and some relief to them. We have just recently received the implementation report from Back on Track, which we are studying, and will bring things to this House.

**Mr Nixon:** As far as I can tell, the honourable minister has improved the payments for social assistance by about 2%. Our government had approved an expenditure of a 5% increase and she raised that to 7%, which is commendable, and the Treasurer is supporting her in that, but to indicate that is going to allay the problems in food banks is simply not appropriate. When she wants a timetable for doing this and a procedure, she need only look at the NDP minority report to the standing committee on social development with a task force on food banks. The whole Legislature at that time was extremely interested in this. They came forward with certain proposals, but the NDP had a specific four-year program to eliminate food banks. The main quote from their report was, "No strategy to allay hunger is acceptable if it does not propose effective action at the earliest possible moment."

The honourable minister has indicated that because of the recession the Treasurer is not supporting her adequately in



this because he has no money, in spite of the fact that I believe that this in fact is not true. If there was ever a time to do something about food banks, it is when the recession is on, not after the recession is over and the Treasurer returns to a proper cash flow.

Would the minister not indicate that because of her important position in the cabinet as Minister of Community and Social Services and her undoubted influence on her colleagues, she can loosen something up in this government and come forward with a plan, even the famous NDP four-year plan which it put before the Legislature, and begin to keep at least this important promise?

**Hon Mrs Akande:** I must say that the member's interpretation that the recession has in some way prevented the Treasurer from easing something up is indeed liberal and creative, if not accurate. Let me say, however, that one of the things that we have done which of course focuses on long-term solutions is putting people back to work through the \$700-million recession package. We have also looked at fairer taxation rates. If the timetable is one the member is focusing on, one of the things one must consider in being responsible is the conditions at the time, the recession which is here and the deficit which we inherited, might I say, unexpectedly.

#### GOVERNMENT SPENDING

**Mr Harris:** I have a question for the Treasurer. It has to do with how the NDP has already run up a \$3-billion deficit even before the Treasurer has tabled his first budget. I know the Treasurer will blame Ottawa, he will blame the recession, he will blame the last Liberal government—I have a little sympathy there—and very soon, I presume, he will start blaming Mexico. In fact, it seems everyone and everything and everybody is at fault for Ontario's deteriorating fiscal condition except for the NDP government that is actually doing all the spending.

Since the government is so broke—we have heard today that it is too broke to fulfil its commitment to eradicate food banks, it is too broke to live up to most of the election commitments in the agenda it brought—I wonder if the Treasurer can tell me, if the government is this broke, what new spending controls he has put into place to control his own government's spending.

**Hon Mr Laughren:** I think the leader of the third party, being the fairminded person I know him to be—at least he was when we were in opposition together—would acknowledge the fact that the deficit we are now dealing with for the fiscal year just ended, 1990-91, \$3 billion, was caused totally by the recession. It is not difficult to sort out the numbers, when our revenues were falling and, as a result of revenues falling, our expenditures were climbing, in many cases because of a statutory obligation we have to look after people who find themselves unemployed and on the welfare rolls. I do not think it is appropriate to simply say that the NDP is responsible for the deficit. That is simply not accurate.

I would say as well that this government has not abandoned its determination to see the end of food banks. We remain convinced now, as we always have been, that it is

not appropriate in a wealthy province to have food banks, and we will be working to that end. That has not changed.

If the leader of the third party would be fair, he would acknowledge the fact that if we were to start implementing, right now, on a fast track, all of the promises contained in the Agenda for People, he would be the first one on his feet condemning us for not controlling expenditures in the province. So I think that the leader of the third party should get his story straight.

**Mr Harris:** What I am interested in finding out—the Treasurer gave me not one single control mechanism. That was the question. He had an opportunity, he took five minutes and he did not come back with one.

Obviously we know that \$105,000 for the map downstairs was not part of his expenditure control program; either that or that was the top priority for the province: \$105,000 to put some little lightbulbs on the map downstairs. That was the Temagami one, if the Treasurer will recall.

Nor did controls seem to apply to the 6% salary hike the NDP gave to the public service at a time when thousands in the private sector are jobless. I think the figure we have all agreed on is that 1,600 per day are taking a 100% cut in pay, on average, since this government assumed office, across this province.

I would like to ask the Treasurer a specific question, since he could not give me any general answer. Some 22,000 employees come under the umbrella of the Legislative Assembly who are not in the Ontario Public Service Employees Union, as I understand it. Their increases ranged from 5.5% for management to 5.8% for administration. I believe those are the settlements that were agreed on there.

Could the Treasurer tell me, over and above that, what is the percentage or the dollar figure that will be spent for the up to 8% merit pay each and every one of those individuals who is not at the maximum is entitled to this year, on top of their 5.5% or 5.8%? Can he tell us that?

1420

**Hon Mr Laughren:** I cannot give the leader of the third party that specific number. I would be quite happy to find out what it is.

But I think it is not appropriate, either, for the leader of the third party to indicate for some strange reason that there are new lightbulbs in the map downstairs and that we are responsible for that. He should speak to his colleague the member for Parry Sound, who sits on the Board of Internal Economy, I believe, who helped make those kinds of decision. I think he should be more fairminded about these things.

I can tell the leader of the third party that we are indeed very serious about controlling the expenditures of the province. We went through an exercise with the estimates, approving the estimates for 1991-92, and when the budget is brought down, the leader of the third party will see that we are indeed serious about expenditure control. We will wait till that document is delivered, and I think the leader of the third party would agree with me.



**Mr Harris:** Yesterday the Chairman of the Management Board, when we asked about merit pay or reclassification, said: "I don't have a clue. We just give it; we don't know how much it costs. We don't know." Now we have the Treasurer who does not have a clue about the up to 8% everybody is eligible for who is not at maximum in the 22,000 staff there. We have 66,000 OPSEU members and the 22,000 here.

The Treasurer brings up the member for Parry Sound, who sits on the Board of Internal Economy. On average over the past few years, this has been an extra up to 3% over and above the 5.8% cost in total. When you exclude the ones who are already at maximum, that means on average people getting merit pay increases or reclassifications are getting about 5%, plus COLA of another 5%, and we are into double-digit increases for all of these employees at a time when the private sector is laying people off and they are becoming unemployed.

What concerns me is the fact that the Treasurer does not know, that it is all so open-ended. I cannot believe that neither the Treasurer nor the Chairman of Management Board know. They obviously have no spending controls on the programs, and they do not even know how much it is costing in dollars or in percentage terms for these increases in this year. Is that not true, or does the Treasurer have some figures that he has actually budgeted?

**Hon Mr Laughren:** The member of the third party is not being fair. Of course we know what those costs are. Because I do not have them in my hip pocket as I sit here is no reason to pretend that we do not have any control over what they are and that we are not serious about controlling the expenditures in the province. That is simply not true.

**Mr Harris:** The member for Parry Sound knew and he voted against every one of them at the Board of Internal Economy, because they could not provide the costs. They have no controls, and that is obvious.

#### POLITICAL CONTRIBUTIONS

**Mr Harris:** My second question is for the Premier. I am sending the Premier a copy and I have in my hand a copy of CUPE 1000 News dated March 1991. This is a newsletter to the membership of CUPE put out by Ontario Hydro employees' union, CUPE Local 1000.

As I was flipping through it, I noticed a very flattering photo of the Premier's Minister of Energy following a meeting with CUPE's executive. I would like to quote the union president in the accompanying article: "I'm totally convinced that being affiliated to the NDP gave us opportunities we would never have had otherwise."

Interjections.

**Mr Harris:** I think the response from the Premier's back benches confirms that this is part of the strategy.

Yesterday outside the House the Premier said there is no inside track at Queen's Park. Given that affiliation means contributing your union dues, a percentage thereof, to the NDP, I would like to ask the Premier if he does not call this the inside track that CUPE now has because it donates to his party.

**Hon Mr Rae:** The reality of our time and of a democratic society in this province has been for, I would think, the last 50 or 60 years or so—I am trying to recall which was the first trade union to affiliate to a political party, but I believe the mine workers' union in Cape Breton was the first union to affiliate to the then Co-operative Commonwealth Federation some time in the 1930s. It has been a tradition of our democratic society that trade unions, first of all, are democratic organizations, that they are entitled to affiliate to the New Democratic Party, and as a result of that affiliation are entitled to send delegates to a convention. That is the way it has been in the New Democratic Party, in power and out of power, and we have been out of power far longer than we have been in power. There are steelworker locals that are affiliated, there are auto worker unions that are affiliated, there are many trade union members who are able through their trade union to become part of the New Democratic Party. The fact that people can participate in the life and work of the New Democratic Party is a fact of which I am very proud.

**Mr Harris:** On 6 August, when we still had the old member for York South running around this province talking about government integrity, here is what he said of the insurance industry and the Liberal government. He said, "They are a clear example of powerful business renting a political party."

We called CUPE. We asked them what they had to do to rent the Bob Rae government, and they told us that as of last September, the union stewards began to pay a per capita membership to the NDP from the union dues. It is as simple as that, and now they say they have "opportunities we would have never had otherwise."

Is this what the Premier meant last 6 August when he talked about open government?

**Hon Mr Rae:** I literally cannot understand the difficulty that the leader of the third party is having with the principle that is involved here, and one that has been in place for a long time. They receive money as a political party from banks and from companies and from individuals. We receive contributions as a party from working people and from ordinary Canadians, and yes, it is a matter of record, a well-known fact, documented—you can read it in any paper, you can read it in any financial return that is ever filed anywhere—union affiliation per capita dues are paid to the federal New Democratic Party as a matter of course. That is not news, it is not different and it does not lead to any difference with respect to the policies and directions of the government of Ontario.

**Mr Harris:** Yesterday we discovered that the party faithful had special influence with the Bob Rae government. Earlier we found that others had to pay \$800; that was the price for others who were not part of the faithful. Last month, since the member for Simcoe West has never received an apology, we found out that riding presidents have a special place, a special access to this government, and now we see that by financially affiliating to the NDP, unions too can be part of this élite.

Maybe the Premier does not see anything wrong with this. I am not questioning the right of unions to affiliate.



What I am questioning is this: The union stewards affiliated and they have clearly indicated in this brochure, in this document, which is a campaign document, to convince all of the members of Hydro to affiliate, that it will give us opportunities we have never had otherwise. There is going to be a vote among the members of CUPE whether they will all affiliate; in other words, check off their dues to go to the NDP so it can propagate nuclear power.

Does the Premier agree with the stewards who are telling their membership it should affiliate so it can get special access, as opposed to just donating to a political party?

1430

**Hon Mr Rae:** In the preamble to his question, the leader of the third party has made several allegations with respect to special access, allegations which are totally unfounded; they are completely false. Now he is saying he does not object to the principle of affiliation with the party of one's choice. I am saying to the leader of the third party that there is no special access involved in any way, shape or form. There is only the traditional right of people to decide to join and participate in the political party of their choice, which is a fundamental, democratic right in our society today.

**Mr Curling:** Strange things happen on the way to power, don't they?

#### RACE RELATIONS

**Mr Curling:** My question is to the minister responsible for the Ontario Human Rights Commission. Last week the minister announced an anti-racism strategy, and today I want her to follow through on her government's stated commitment to combat racial discrimination. The Ontario Human Rights Commission is concluding an investigation into racially discriminatory practices by two well-known employment agencies. The minister is aware that section 26 of the Human Rights Code of Ontario states: "The commission is responsible to the minister for the administration of this act."

Will the minister use this legislative authority and call upon the Ontario Human Rights Commission to reinvestigate this matter and effect a settlement that is not merely a wrist slap for agencies which practise systemic discrimination?

**Hon Ms Ziemba:** I would like to thank my honourable opponent and critic for this question, because we are very concerned about the discrimination that faces many people in our society. That is one of the reasons we did implement and bring in the anti-racist strategy. As the member probably is aware, since his government implemented this procedure, I have an arm's-length relationship with the commission. I also have to tell him that the settlement he is discussing right now is not complete, so I cannot appropriately say I will enact anything until we have a final resolution to the settlement. When we do have that final resolution to the settlement, as any court case has in any legal jurisdiction, we will then comment on it.

I thank the member for his concern and I too am concerned about this. Again, I must reiterate that this is a high priority for our government, to eliminate racism in all sectors.

**Mr Curling:** I want the minister to understand, and I know she does, that this issue is a moral and a legal responsibility of hers to stand against systemic discrimination.

As the minister will also be aware, the Ontario Human Rights Commission's handling of this issue so far has been severely criticized by a former commission member as being pathetic. As she knows, today the Toronto Star editorial points out the differences in her handling of this issue and that of the New York City Human Rights Commission, which is seeking more than \$1 million in damages for three employment agencies alleged to have practised discrimination.

If, as the minister stated, she is unprepared at this moment to call for the Ontario Human Rights Commission to effect a more stringent settlement in this case, a settlement which I feel, and I know the people feel, would send a very clear and unequivocal message to employment agencies across the province, will the minister today commit to establishing clear mandatory guidelines and ensure that these guidelines will be adhered to by all employment agencies in Ontario? Will she also commit to work with the Minister of Labour and develop legislative amendments to the Employment Agencies Act, which will provide for meaningful sanctions in case of discrimination?

**Hon Ms Ziemba:** In fact, that is what we are actually doing right at this moment, discussing with the Minister of Labour for very clear and definite guidelines. We are also going to implement in the very near future mandatory legislated employment equity which also will clearly break down those systemic barriers we see happening, not only in employment agencies, but in all sectors. We have appointed an employment equity commissioner who is out there right now consulting with all the various groups so that we can get the best-defined legislation in place.

I have said simply yes, we are looking into all of those effects and that we will have a good, clear guideline, both in the Labour Relations Act and also within our mandatory legislated employment equity. We are working very quickly to make sure that we break down those systemic barriers, as the member said, because it is very important. I share his concerns and I thank him again. As he has said, he will be assisting me in making sure that we break down all of those racist barriers that face us today.

#### RENT REGULATION

**Mr Tilson:** I have a question for the Minister of Housing. This morning, we witnessed on the lawn of the Legislature the frustration of those caught in the injustice of what is essentially only a temporary piece of legislation, the dreaded Bill 4. The consultation process which has taken place to provide options for permanent rent control legislation has been unbelievably biased, so it is no surprise to me that the minister's green paper does not deal with the issue of capital expenditures under Bill 4.

As the minister is well aware, numerous landlords across this province have begun, in good faith, capital expenditure work on their buildings, but are now caught in the Bill 4 freeze. All capital expenditure work in the province has ground to a halt until the minister makes clear his



intentions on this matter in permanent legislation which he intends to table before the end of June.

Obviously, if the minister intends to have this legislation on the table by that time, a preferred option for capital expenditures lost during the moratorium period must exist at this time. Would the minister please tell us what he intends to do about the moneys lost by landlords during the Bill 4 moratorium for capital expenditures.

**Hon Mr Cooke:** I appreciate the question. I would say to the critic for the third party that he is aware that the whole issue of capital expenditures in apartment buildings is dealt with in the green paper. He will also remember that on 18 February, when I tabled the green paper in the standing committee on general government, some of the members of the committee criticized me for having some preferred options and some other members criticized me for having any preferred options, that decisions had already been made.

What we have decided is that we spelled out the range of options on capital. We have gone out and sought the opinions of landlord and tenant groups across the province and it is a meaningful set of consultations. In fact, in most of the public hearings we have had there have been more landlords making presentations than there have been tenants. It has been very helpful in determining government policy. I would suggest to the member, if he has any specific suggestions, as a critic, of how he feels we should be dealing with the capital issue, I would be more than willing to listen to him. To date, all he has talked about is deregulation, elimination of rent controls, and that is not on for this government.

1440

**Mr Tilson:** My first suggestion is that the minister read his own green paper, because it does not deal with the capital expenditures lost during the Bill 4 moratorium period; it does not even refer to it. So read the green paper. That is the first suggestion.

Last week the Concrete Restoration Association of Ontario announced the Minister of Housing had in his power to send up to 2,000 people, in a variety of trades, back to work in the time of the recession. As the minister is well aware, the unemployment and welfare lines are increasing at an alarming rate. The snow is off the ground, construction can begin, but the workers and their equipment lie idle.

How long will the minister continue to ignore the plight of the workers, and how long is it going to take for him to put them back to work in this province?

**Hon Mr Cooke:** The argument the critic for the Conservative Party has been using all along is that the only way capital can be spent in this province is if there is a pass-through system. The critic knows as well as I do that under the Liberal rent review system the majority of renovations carried out in this province in apartment buildings were not carried out through the rent control system or the rent review system.

**Mr Tilson:** How are you going to put people back to work? There are unemployed people in this province.

**Hon Mr Cooke:** In fact, in any given year the maximum amount of capital that was passed through under Bill 51 was \$122 million. Now, even he would agree that more than \$122 million has been spent on capital, but many landlords in this province believe the upkeep of their apartments should be out of the rent tenants pay. That capital can still be spent in this province even under Bill 4.

While he continues to hold up Bill 4 and does not allow us to proceed with the temporary legislation, on the other hand tenants are being penalized and do not know what is going on. I would just ask the critic for the third party to please allow us to proceed with Bill 4, so that tenants can be properly protected and the \$54 million the tenants will save will happen, but he continues to filibuster on Bill 4. We would like to see it proceed.

#### COURT SYSTEM

**Mr Lessard:** It is a great pleasure to be able to finally ask my question of the Attorney General with respect to case flow management in the city of Windsor.

As he may be aware, case flow management is a system that was introduced in the city of Windsor and another city in the province by the then Attorney General some time in September. Its purpose was to enable cases to move along more quickly through the civil court system, which is something that nobody could disagree with.

I am advised by lawyers in Essex county that the rules for case flow management are flawed, that they are too complicated and difficult to change and that because of that, additional pre-trials, motions and filings are required. In fact, they are telling me the system is not working very well, and at a meeting last Wednesday passed a motion that goes as follows, "The Essex Law Association forthwith requests the dismantling and discontinuance of the case flow management system in Essex county as soon as practical."

My question to the Attorney General is whether he is prepared to comply with the motion of the Essex Law Association.

**Hon Mr Hampton:** There is some misunderstanding among members of the bar as to exactly who is advocated and who is in control of the various civil case flow management pilot projects around the province.

For the record, and this applies not only to myself but to the former Attorney General as well, the case flow pilot projects were in fact advocated by members of the bar and by members of the judiciary. They got together and asked if three case flow pilot projects could be attempted in the province. One is now on schedule in Sault Ste Marie, a somewhat more complicated one in Windsor has been attempted and one is about to get under way in Toronto.

I am aware of the difficulties with the program in Windsor. In my visit to Windsor earlier this year, I asked advocates of the system to consider simplifying their local rules. That is something over which control lies at the local level. I have no control over the pilot projects. We have supported them in terms of computer facilities and additional staff, but if the bar in Windsor wants to change the pilot programs it has going, that is within its control to do. I do not have control over that pilot project.



**Mr Lessard:** With respect to amending the system or making some changes with respect to the system, it has also been brought to my attention that one of the problems is that the system applies to cases that are from 1985. They are all going through the system right now and that is where some of the backlogs are concerned. Would the Attorney General agree to changes if they were recommended, with respect to removing those retroactive cases from the system or any other changes?

**Hon Mr Hampton:** I indicated as well when I was in Windsor that the Ministry of the Attorney General would be prepared to meet reasonable requests; for example, for additional computer time or for additional staff.

I say again that we have no control over the rules that are used and we have no control over, for example, the retroactivity of the program that has been instituted in Windsor. That is very much within the control of the local bar and the judiciary in Windsor. If they want to change those rules they can. If they want to ask for additional resources in terms of computer time and computer facilities, we will do everything reasonable we can do to meet those requests.

#### PLANT CLOSURE

**Mrs Fawcett:** My question is to the Minister of Industry, Trade and Technology.

The minister will be aware of the recently announced plant closure of the Cooper Tools-Nicholson File facility in Port Hope, with production being transferred south of the border to the company's plant in Cullman, Alabama.

Nicholson File is a historic part of our community and has been an efficient and competitive company for decades and, I might add, continues to show a profit.

This closure will result in just under 200 people losing their jobs, adding to the growing flood of people laid off due to plant closures since the NDP took power. This is very serious for the people of Port Hope, who were taken completely by surprise, with little or no time for preparation.

Why does the minister think this plant is moving to the USA when it is making money here in Ontario, and what is he going to do to save these jobs?

**Hon Mr Pilkey:** It is indeed unfortunate that Cooper Tools group, which has been a long-term employer in the town and a corporate citizen here in Ontario, has taken a very unfortunate decision to leave. A consultant of my ministry did meet with the company on 27 March to discuss the situation. We will try to affect a change in decision as best we can, but unfortunately we are not in a position to make those corporate decisions for those companies. We regret it and we wish that it would not happen. Our consultant is trying to see if there is any possible way to alter the circumstance. We join with you in regretting that corporate decision.

**Mrs Fawcett:** I did not really hear much in the way of solace in that answer or very little comfort for the workers of Cooper Tools.

I remind the minister of something he would probably rather forget: the Agenda for People. I quote: "A jobs protection board would establish whether plant closures are

justified." Since his party took power, over 50 plants have closed permanently in Ontario. The toll is mounting daily.

Before the election, the NDP had a lot of ideas, and since then it has had a lot of bluster. Other than fed-bashing, what is this minister doing today to save those 200 jobs in Port Hope and thousands more like them? Is the minister going to do something and honour his party's previous commitment to a jobs protection board, or will he sit idly by playing Dr Do-Nothing and watch the exodus from Ontario of numerous industries?

1450

**Hon Mr Pilkey:** I have indicated already that this is a corporate decision, certainly not of the making of this government or of this province. We have officials of our ministry dealing with the company. If we can effect an alteration to that unfortunate decision, as I said, we will.

I regret quite frankly, though, the comment from the member that this ministry is not doing anything with respect to corporate Ontario and the companies resident therein. I had the pleasure of first meeting the member for Northumberland in a community in her riding, in Cobourg as a matter of fact, where she welcomed me as I announced a very substantial grant for the acceleration of an industrial plant and facility in her riding. I know that fact has probably just temporarily slipped her mind, but she does know of our interest in that and all companies within her riding. I will close by suggesting that if there is anything we can do for the employees of Cooper Tools, this ministry will use its best efforts to do so.

#### SPECIAL EDUCATION

**Mrs Cunningham:** I have a question for the Minister of Education. I have a letter in my hand here that was sent to the solicitor for the Carleton Board of Education by the Ministry of the Attorney General. I am sure she is aware of it. It indicates that the Ministry of Education will accelerate progress towards the goal of integrating exceptional pupils into local community schools wherever possible, according to parental choice.

Currently the laws states that the IPRCs will be responsible for placing children. The government, which originally acted as a co-defendant with the Carleton Board of Education in a case initiated by the parents of Alexandra Hysert, a 12-year-old Down syndrome child, decided to change its original statement of defence, which supported Bill 82. By the way, this process last week cost us some \$71,000 in legal fees.

I would like to know why the minister's government has changed the policy in regard to integrating special students or exceptional students in this province without bringing the long overdue amendments for special education, Bill 82, to the house.

**Hon Mrs Boyd:** I thank the member for the question. This was a very distressing situation in Ottawa, as the members can imagine. The member is quite right, and the member and the critic from the opposition have expressed numerous times their anxiety for our special education initiatives to come forward. I can assure the members that they are going to do so within this session. We will have a consultation process attached to it. We are committed, as



our party has been and as this government continues to be, to the notion of parental choice and to the notion of parental choice within a context which offers integration within a community school wherever possible.

The situation in Ottawa was particularly unfortunate because of positions that had been taken there among the various school boards. It was really important for us as a government to take this action to indicate our commitment to the whole notion of integration of students.

**Mrs Cunningham:** During the election campaign in response to the Ontario Secondary School Teachers' Federation questionnaire, the Premier stated, "The NDP opposes the Liberals passing the buck to the municipal level." He went on to state, "A New Democratic government would provide 100% funding for appropriate specialist staff." I underline provincial funding. This would ensure that hard-to-serve students have an equal opportunity to reach their potential regardless of the strength of the local municipal taxation base. We know we are probably looking at one-to-one instruction here. The minister is aware that integrating students is expensive. My question would be: How much will it cost to integrate students across the province, because we have a policy change here, and when will the minister be allocating 100% funding to the local school boards?

**Hon Mrs Boyd:** This very issue will be part of the consultation we are having. At this particular point I cannot give the member a figure that would say exactly what it would cost because we do not know how many students would be designated or how many parents would choose the integrated route. We do want to have a choice element there and so that would be important.

The other part of the member's question in terms of the downloading is a very important one. It is part of our entire concern about downloading on to municipalities both in terms of responsibility and accountability and in terms of funding. I can assure the member that that issue, particularly with respect to special needs students, will be part of our work in terms of integrating children's services across the province. We do not see all those costs as belonging necessarily in the Education portfolio, and it will be important for us to find a way to integrate those services more effectively within the community.

#### RENT REGULATION

**Mr Drainville:** I would like to address a question, if I might, to the Minister of Housing. Last week we had a situation in our riding where two representatives, one a Ted Starr, who represented the Victoria County Tenants' Association, and Michael Lockwood, who came from 155 Lindsay Street South in Lindsay, went down to the ministerial hearings in Oshawa to ask a question about the reality of how the new legislation is going to be formed. They were concerned about the problems they had been having as tenants with those situations.

The question I would like to address to the Housing minister is about the consultation that is taking place. We know the consultation is an important one. Would the minister indicate the extent of the consultation in the province

of Ontario and whether that consultation will be reported on in the near future?

Interjections.

**Hon Mr Cooke:** I can understand why the opposition does not want to hear about the extensive consultation we have had on the permanent rent control system, because the fact is that this is the most extensive consultation that any opposition party has had in many years on a piece of legislation. We have attempted to develop a partnership with landlords and tenants and others in the community to develop this permanent legislation. We went to 20 communities across the province. We had public meetings. We had individual meetings with landlords' groups and tenants' groups. We even invited the opposition to participate through a standing committee of the Legislature and, Mr Speaker, do you know what the opposition said? They were not interested. This government is interested in consultation.

Interjections.

**The Speaker:** Just a moment.

Interjections.

**The Speaker:** I am so glad I showed up today. What a lively group. Now, I take it that the member for Eglinton had a point of order or privilege.

**Ms Poole:** Yes, thank you, Mr Speaker. The Minister of Housing just made the statement that it was because of the opposition that the standing committee did not get a chance to look at his long-term legislation. This is not true. This is simply not a true statement.

Interjections.

**The Speaker:** We will find out. I intend to listen to alleged points of order and privilege, and I intend to be able to hear them, and I will allow the member for Eglinton to succinctly put what she claims to be her point of order.

**Ms Poole:** Mr Speaker, I will tell you that the minister has said that the opposition did not want to participate in the process. The minister's idea of participation was to let an opposition critic or the Conservative Housing critic sit on the stage but not to speak and not to comment. That was his idea of participation. They have not made any effort to bring this matter to the standing committee on general government and we, the opposition parties, would have been pleased to take a look at it.

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**The Speaker:** I appreciate the member's bringing to my attention something which she believes to be a point of order. It is not a point of order, but I do appreciate your concern.

**Hon Mr Cooke:** Mr Speaker, on a point of personal explanation: During question period, in answer to the Conservative critic, I indicated that by holding up Bill 4, \$50 million of rent reductions covered by Bill 4 were being held up. I should have said \$45 million.

**Mr Sorbara:** Mr Speaker, on the same point of order: As long as you are inviting members of the House to speak on the point of order and as long as you are allowing my friend the Minister of Housing to correct the record, I think



it should be pointed out that in this democratic assembly there is a trend developing among government ministers and indeed government members, and that is to accuse those of us who do our work in committee of stalling government legislation.

Interjections.

**Mr Sorbara:** Mr Speaker, I have more to—

**The Speaker:** I have heard sufficient. The point of order was originally raised by the member for Eglinton. If you have new information which she has not brought to my attention, then I would appreciate your succinctly doing so. If however there is no more information, then we can move on with the regular business.

**Mr Sorbara:** The new information I want to bring forward is precisely the information that I was about to bring forward, and that is a trend by the government to misrepresent what we as parliamentarians do in the committees on which we sit. We are there to deliberate on the bills that the government brings before us.

A few days ago the Premier accused us in question period of stalling on Bill 17, a bill to change support and custody orders enforcement. Let me put a little bit of information before the Legislature on the question of the support and custody orders enforcement bill. In fact, today the Minister of Community and Social Services once again reiterated the allegation that we were holding up some \$350 million in support orders.

[Applause]

**Mr Sorbara:** The members opposite are clapping, including the member for Algoma, the Minister of Natural Resources. I say to the Minister of Northern Development, let's have the Attorney General stand up in this House and tell the people that his own ministry is not planning on proclaiming that bill until 1 January 1992. Who is holding up the SCOE bill?

**The Speaker:** Would the member for York Centre take his seat, please. What the member raises is not a point of order. What the member raises is something which quite naturally he may wish to consider as the subject material for question period on another occasion. Now, let's proceed with the routine proceedings.

## PETITIONS

### NURSING HOMES

**Mr Brown:** I have a petition appropriately addressed to the Legislative Assembly of Ontario. It is from residents of the nursing home at Gore Bay, Manitoulin Lodge, and it says:

"We, the undersigned, are most concerned about what we consider to be inadequate provincial funding to Ontario nursing homes. We urge immediate action to correct this problem."

### FRENCH-LANGUAGE SERVICES

**Mr McLean:** "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas, the French Language Services Act, 1986, Bill 8, continues to elevate tensions and misunderstandings over language issues throughout the province, not only at the provincial but also at the municipal levels; and

"Whereas, the current government disputes its self-serving select committee findings, intends to encourage increased use of French in the courts, schools and in other provincial services to ensure that Bill 8 is working well to the best of their concentrated efforts; and

"Whereas, the spiralling costs of government to the taxpayer are being forced even higher due to the duplication of departments, translations, etc, to comply not only with the written but also the unwritten intent of Bill 8; and

"Whereas, the spiralling costs of education to the taxpayer are being forced even higher due to the demands of yet another board of education—French-language school board.

"We, the undersigned, request that Bill 8 be repealed and its artificial structures dismantled immediately, and English be declared as the official language of Ontario in government, institutions and services."

That is signed by 63 members.

**Mr Runciman:** I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario signed by a number of my constituents imploring the House to repeal the French Language Services Act, Bill 8, at the earliest possible moment.

## PLANT CLOSURE

**Mr Jackson:** I have a petition to the members of the Legislative Assembly signed by 550 Tridon workers who will lose their jobs on 31 May and states it as follows:

"We the undersigned petition the Legislative Assembly of Ontario:

"As victims of a plant closure (Tridon Ltd) we ask the Legislative Assembly of Ontario to bring forth immediately new legislation which will provide increased statutory protection and compensation for the workers of Ontario who are being laid off because of plant closures."

That petition has my signature of support and I submit it to the House.

## REPORT BY COMMITTEE

### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr Cordiano from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill 22, An Act to provide for Certain Rights for Deaf Persons.

Motion agreed to.

Bill ordered for third reading.



## INTRODUCTION OF BILL

## GENERAL ELECTIONS ACT, 1991

## LOI DE 1991 SUR LES ÉLECTIONS GÉNÉRALES

Mr McLean moved first reading of Bill 69, An Act respecting General Elections.

M. McLean propose la première lecture du projet de loi 69, Loi concernant les élections générales.

Motion agreed to.

La motion est adoptée.

**Mr McLean:** The purpose of the bill is to establish the timing for general elections. Generally, elections should be between four and five years apart. An election would be held sooner than that only if the government has been defeated in the assembly. The bill would also establish a maximum 60-day period between the date of the writs of election and election day.

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## ORDERS OF THE DAY

House in committee of the whole.

RESIDENTIAL RENT REGULATION  
AMENDMENT ACT, 1991

Consideration of Bill 4, An Act to amend the Residential Rent Regulation Act, 1986.

Section 9:

**The Second Deputy Chair:** Dealing with the member for Eglinton, section 9 of the bill, subsections 100b(1) and 100b(2) of the act, are there any questions or comments?

**Ms Poole:** Yes, Mr Chair. I do not think any members of the House, or not very many of them at any rate, were down at the rally this morning that was held outside Queen's Park. There was a large group of renovators, suppliers, tradespeople and small landlords there to protest this government's action on Bill 4, specifically two areas of it: the retroactivity and the lack of provision for capital repairs. These measures were ending up in many, many people losing their jobs, companies closing down, bankruptcies.

I have the comments from one of the people who spoke at that rally this morning. His name is Marty Cash and he is the vice-president of Wind-O-Mart. Some of the members may remember that his name was raised in the House back in the fall. In the first week of Bill 4 he had \$5 million worth in cancelled contracts for his window manufacturing company. Mr Cash spoke very eloquently today. He addressed his remarks to the minister.

He said: "You have created an atmosphere of unpredictability which is antibusiness, therefore discouraging instead of encouraging small business and entrepreneurs at a time when employment is rising at an alarming rate. You have developed an atmosphere of distrust by implementing retroactive legislation."

That is the point I wish to address right now, the atmosphere of distrust that is out there. In all the times that I have been to landlord and tenant meetings over the last five or six years in this province, I have never seen tempers at such a fever pitch as they are today under Bill 4.

This bill has driven a wedge between any landlords and tenants who ever hoped to have a co-operative attitude.

Despite what the government will imply, many tenants and landlords do want to reach some type of accommodation. They are not all bad landlords, as the NDP is implying, who are out to skewer the tenants at all costs and not listen to what they have to say. But right now that communication between landlords and tenants in this province is becoming increasingly difficult, if not impossible. The lines of communication are being broken daily and the feelings are escalating.

I do hope that the minister will reconsider some of his positions on this bill and try to bring some semblance of sanity back to the housing market. It is not only the instability; it is the trust in government. It is also, as I mentioned, the deterioration in landlord-tenant relations.

In his remarks this morning, Mr Cash went on to say: "Mr Cooke, you must be aware that with your procrastination and with your proposed legislation, all renovation companies will go bankrupt, causing a tidal wave of job losses. Mr Cooke, do you want a businessman such as myself to leave this province? Why would you discourage me from being in business in Ontario and providing jobs and much-needed tax revenue? If you don't act quickly and judiciously by considering small businesses and entrepreneurs, we will be forced to leave this province as economic refugees."

Again, tempers ran very hot at that meeting this morning. I understand they ran to such an extent that they actually burned an effigy of the Minister of Housing. I do not condone such dramatic incidents, but at the same time I understand the frustration and the feeling that there is nothing they can do to halt this government's decision, which many of those people out there today—in fact all of those people out there today—felt was unreasonable and very prejudicial to their businesses, their livelihood, their rights as individuals to get through this recession in good shape.

The response of the government time and time again was, "It's not our legislation that's creating this economic difficulty; it's not our legislation that's creating the job losses," but I can tell the members very frankly that many of the job losses these people are undergoing are directly attributable to bill 4. When we had one union representative who came before our committee we asked him the point-blank question: "How many of the job losses in your particular sector in the construction area is due to the fact that we are in a recession? How much is due to the fact that it is a seasonal occupation so that the middle of winter is the worst time for jobs and that people are laid off quite often at that time of year, and how much is directly attributable to Bill 4?" Their answer, very unequivocally, was that at least 60% of the job losses in the construction industry were directly related to Bill 4, to the retroactivity and to the lack of any provision for capital repairs. So they have put a stop, an utter halt, to much of that work that would have gone on and that, quite frankly, tenants are going to suffer from because they do not have that work done.



**Mr Runciman:** On a point of order, Mr Chairman: As a matter of interest, when you asked for questions and responses to the previous speaker, the member rose. I thought there was a rotation in this debate and that we would be next. The member for Essex South was the last speaker. You asked for questions and responses in respect to the member for Essex South and the member stood and now she has gone on beyond five minutes. I am wondering if something has happened in terms of the rotation.

**The Chair:** The member for Essex South, as you know, is not here. He will possibly have the privilege of addressing the House again when he comes back. In the meantime, I asked if there were any questions or comments, any members who wanted to participate. The member for Eglinton stood up and I recognized her.

**Mr Runciman:** Mr Chairman, what you normally would say is, "Any other member wishing to participate in this debate?" I do not recall you offering that to the other members of the House.

**The Chair:** I understand very well what you are experiencing. This is not a debate. It is questions and comments, and this is the way we will proceed.

**Ms Poole:** Just to answer the honourable member's concern, the Chair did ask for other members who were willing to, or anxious to, participate in the debate, and after waiting at least half a minute to see whether somebody from the other caucuses was going to stand up, I did stand at that time.

I just one second to get my train of thought, which got somewhat interrupted.

**Mr Mahoney:** You had better start over again.

**Ms Poole:** Start over? The member wants a repetition?

**Mr Daigeler:** It was so good that we would like—

**Ms Poole:** I have had numerous requests to repeat my former dissertation, but I think some of the members may have missed mine from yesterday as well, so maybe I should repeat that in addition.

The bottom line is that we have lost jobs in this province, we have lost opportunity, we have lost trust in government, we have lost faith in the process that this government is undertaking, yet I do not see any willingness on the part of the NDP to change this.

Do the members know some of the names they were calling the NDP this morning? In fact, I think I will have to insert a different word for one of them because it would obviously be quite unparliamentary. But they called the NDP "no darn good." They said that NDP stood for No Darn Principles. They said things such as the NDP had no guts. All very unkind, unflattering things. They do not think very much of the government's policies. I have to tell the government, I know that it thinks it is a government of the people, but it should listen to what the people are saying to the government and what they said out there today. These are not any rich fat cats. These were workers, some of them construction workers. They were from the trades, they were renovators. They were small landlords. Some of them were in a fury, some of them were just utterly frustrated and could not cope with it.

These were the real people and they are the real people that the government did not talk about. They are the real people that the government does not talk about, but I can tell the government that as members of this assembly they have a right to your representation as much as any other group.

When I was elected as a member in this Legislative Assembly, it was my understanding that I would act as a representative for all the people, that I would bring their interests forward, that I would act on their concerns, and that I would not just go to one interest group or two interest groups and let them dictate my time. That does not mean you cannot have groups that you support very strongly, particularly if they are disadvantaged and vulnerable groups in society.

1520

But I ask, in the name of fairness and balance, what is there in the government's mandate that has said that NDP members do not have to represent landlords, do not have to represent the workers if they do not happen to like what the government is doing at the time, do not have to represent the investors, do not have to represent the financial sector, do not have to represent the interests of middle-class Ontarians? There is nothing in what we do as members that says that the government should concentrate all its efforts on one particular sector.

Many times in this House I have stood on behalf of tenants to fight for their rights because I have felt that, as a group, there were times when they were disadvantaged, that they were vulnerable and that they needed that support in this Legislature. But I can tell the members that the day that I stand up in this House and represent one sector to the exclusion of all others and say that fairness and balance does not matter any more is the day when I no longer have any pride in myself as a member.

I would say to the government that it does still have an opportunity to rethink not the original premise of its bill, not the fact that it wants to have a pause, as the parliamentary assistant said time and time again in committee, a pause to take a look at long-term legislation—I have no problem with that—not the fact it has said that it wants to limit outrageous rent increases—I do not have a problem with that anyway; I support it wholeheartedly—or in its attempts to make sure that flipping—whatever it is; we have never quite had a definition, but whatever it is—is stopped.

Those are good things that the government wants to accomplish, but by the same token it does not gut the bill, it does not gut it at all, to make provisions that make it responsible and that make it fair and balanced. I will come back to those words "fair and balanced" time and time again, because the government sets a very dangerous precedent in this House when it adopts and pushes forward with a bill that it knows is causing considerable hardship and is not fair and balanced.

I do not want to belabour the point. The Conservative critic no doubt will have a few more comments. He always prefaces his remarks by saying, "I want to speak for a few minutes," and then as a typical lawyer goes on for several hours. I just had to get my dig in there. But it is okay; I



have said before, I am married to a lawyer and have been for 20 years, so I feel compelled to say these things from time to time even in my own household. So with that I will yield the floor to my honourable colleague. I know the Conservatives are quite eager to put in further thoughts they have on the retroactivity of this bill on the record, as our caucus has and will continue to do.

**Mr Tilson:** I do thank the Liberal opposition critic for her very kind words. I do have a few comments to make with respect to her amendment, which I am supporting, as my party is. We are supporting it in principle, as we did at the hearing. We do not feel that it probably goes far enough, but we are prepared to support it as a matter of principle.

The NDP members sought at that time to defeat it, and hopefully in hearing the recommendations that are being made here and listening to the stories and listening to some of the demonstrations such as today, they will reconsider their position, a position with respect to retroactivity which, in my opinion, after listening to comments such as have been delivered to us by Gardiner, Roberts, who are the solicitors for the Fair Rental Policy Organization of Ontario, is unconstitutional. Of course, I have asked in the committee that the Minister of Housing reveal to us the legal opinion of the Attorney General and the legal opinion on this issue, because there is no question that this organization intends to challenge the legality of what it believes is very illegal legislation. It is discriminatory.

Specifically, the letter we received is quite a lengthy dissertation. It goes on for some 13 pages. It is prepared by a Robert G. Doumani, and members of the committee have referred to it, and I would like just to refer to a couple of sections specifically dealing with subsection 15(1) of the charter, which is one of several arguments that this law firm refers to as this legislation breaching the Constitution.

Subsection 15(1) of the charter states, "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

The solicitors point out that the sections of the bill dealing with retroactivity are discriminatory sections that violate this section. They clarify the word, I might add, "retroactive" to be "retrospective," and we discussed that at some length at the hearings. They talked about, of course, the provisions of Bill 4 being retrospective and that they give a different and more onerous rent review outcome to actions taken and expenditures incurred in good faith at a date prior to the enactment of Bill 4. They cite a number of examples in their letter and state, "These examples show that there are actions which would have been taken and expenditures incurred in many instances before the last provincial election had even been called."

They state specifically that:

"Bill 4 creates two distinctions:

"(a) one between those persons who sought or obtained rent increases greater than guideline and those who took guideline increases only;

"(b) another is between those persons who sought or obtained rent increases greater than guideline for which the effective date of first intended rent increase was on or after 1 October 1990 and those landlords who sought or obtained rent increases greater than guideline for a first effective date before 1 October 1990."

This legal opinion has been made available by the Fair Rental Policy Organization of Ontario to the Ministry of Housing and to the committee and has simply gone unchallenged. The NDP members at the hearing simply received it with blank looks on their faces. The minister says he has a letter which says that what they say is not correct, and we have never seen that letter.

I made an application under the Freedom of Information and Protection of Privacy Act and that ruling of the commissioner is currently under review. I intend to proceed with that because I think the people of this province, before this bill is passed, should know whether this law is constitutional or whether it is not.

The solicitors refer to a Supreme Court of Canada decision made in 1989 in *Andrews v Law Society of British Columbia*. I am not going to go into that, but after referring to that decision in support of their submissions that this is a discriminatory law, they start to refer to burdensome impacts that Bill 4 has, specifically with respect to a person who on three different occasions "obtained a phase-in order months or years before the election of the present government but has a phase-in certificate with an effective date on or after 1 July 1990 is burdened by the loss of that rent increase found justified under the law at the time the application was made."

Second, "on the strength of the RRRRA," which is the current law, "undertook capital improvements many months before this government was elected will not recover the cost of the work if the first effective date of the increase is 1 October 1990 or later."

1530

Finally, where a person "obtained conditional approval for capital expenditures months before this government was elected and on the strength thereof incurred the expenditure and filed an application will not obtain a rent increase if the first effective date in the application is 1 October 1990 or later." Of course, that is the intent of the second portion of the amendment that has been made by the official opposition, and I assume that is exactly one of the reasons why that amendment has been made and why we are supporting it, because we feel that in the other situation it is discriminatory and illegal.

The solicitor states, "Depending on an arbitrarily selected date which, effectively, is at least two months before the election was even called, a person who owns rental property may suffer the catastrophic personal consequences detailed above." Of course, they go on and list some examples where with this retroactive legislation individuals have sustained major losses. Those examples have been given to us in this committee and at the committee of the Legislature that reviewed it around the province, where we had individual after individual who came to us and told us the terrible effect that this discriminatory legislation had on them.



Therefore, the law firm indicates that under those circumstances it believes that there has been a violation of the equality provisions of section 15 of the charter.

I am sure that the parliamentary assistant has read this opinion. I assume that the parliamentary assistant has discussed it with the government solicitors. My question to the parliamentary assistant is, is there any substance in this opinion after reviewing the opinion of the government?

**Ms Harrington:** At this time I do not think it would be appropriate for me to give my personal opinion, but I certainly would like to tell the member that the minister has gone on record as saying he believes that will not affect the bill. If the member would like to hear further expert testimony on this, I could arrange to have someone answer his question in more detail.

**Mr Tilson:** Well, that is the first most encouraging piece of information. We certainly heard at the committee that the Minister of Housing said unequivocally that information was not available. I am glad the government has reconsidered its position. Perhaps I would accept the parliamentary assistant's offer for us to review that information. Perhaps at this present time she could summarize that position so that we could all hear what that is.

**Ms Harrington:** I said I would get someone if the member was interested.

**Mr Tilson:** I do not know whether I am being answered or not.

**Ms Harrington:** I believe I stated quite clearly that if the member wanted detailed answers from our legal people, I would ask them to come forward and do that.

**Mr Tilson:** I cannot understand why we went through weeks and weeks of committee. I asked this question at the committee, I was refused this information, for whatever reason the minister had on his mind that particular day, and now the parliamentary assistant—I am asking you as the Chair, because I am a new member and I do not know the procedure—has informed us that we can hear comments from the solicitor. I, as I am sure members of this committee, would like to hear those comments. Is there a process in this committee that we can have the solicitor come to us and advise us?

**The Chair:** It is not my responsibility to help you in that case. I think the answer should be very clear and should come from the parliamentary assistant, to clarify the matter. Does the parliamentary assistant wish to reply to what was being said by the member for Dufferin-Peel?

**Mr Tilson:** I am quite prepared to assist the parliamentary assistant. I will send someone over to her office, if she has no one available, to escort the solicitor here because I think that we would all like to hear what the solicitor had to say on this very important matter. This is the whole crunch of what the opposition to this bill is saying, that it is illegal and discriminatory. Now for the first time—and I am encouraged by that—the government is saying, "We will make this information available to you now." I am ready, right now, to hear this information.

**Ms Harrington:** The minister, at the committee hearings about a month ago, made quite clear his position on

this, which is what I stated to the member and what the member originally stated as well, that he believed that this was not a problem, that he had consulted with our people. That position is still there, that we believe that this legislation can go ahead, and we would not be doing this if we did not believe that.

**Mr Tilson:** I thank the member for that, but I do accept her offer to make this information available to us this afternoon. She has indicated that this information would be available. Hansard will be quite clear on that. She has not denied that she would do that, so I think members of this committee would be quite pleased to receive this information and review it. It is available to us. The parliamentary assistant has said it is available to us. Let's hear it and let's hear it now.

**Ms Harrington:** I did not say it was directly available to the member. What I said was that I would consult with our legal people if that was the request of this committee.

The position of the minister was quite clear four weeks ago, how he felt about this. If the member wishes at this particular time, if he would like myself and my staff to go back—if it would make him feel clearer about this—to consult with the legal people again, what I am saying is that I have not spoken to them just recently about this but the minister did make it quite clear before, but I am willing to go and speak to them again.

**Mr Tilson:** I have a lot of trouble with this process that is going on right now. There is no question that the member for Niagara Falls made it quite clear that this legal information is available to us right now, that a solicitor could come and perhaps not speak to the House—I gather that cannot be done—but certainly can speak through her or she can speak on his behalf as to information that he has available on whether or not this bill violates the Charter of Rights of this country, the Canadian Charter of Rights and Freedoms and the Constitution Act, 1982. That has been made quite clear by the parliamentary assistant this afternoon. I gather that information is still available and I accept her offer and I hope that information will be made available to us right now. I think it is that important and that everything should stop until this information is available to us, because she said that it is available to us and that she will give it to us.

**Ms Harrington:** I do not believe that I have the people here to answer this question for the member at this time. I will consult with them and, as soon as possible, bring him back the reply. I could even speak with the minister and verify his position again for the member, but I think he will understand that it is quite clear that the reason this government is proceeding with this is that we believe that there will be no constitutional challenge, that we are quite firm in our belief that we can go ahead with this legislation.

**Mr Tilson:** The issue of retroactivity is perhaps the most important issue in this entire legislation. We have spoken against it and the members of the official opposition have spoken against it. I am sure that there are other members of my party who wish to make some comments on the retroactive issue of this legislation and to speak in



favour of this amendment. I am sure the member for Eglinton has a few more comments with respect to the issue of retroactivity. Obviously this is going to go on for some time. It cannot take that long for a solicitor to come here and relay his or her comments to the parliamentary assistant. In light of that, we can go on to other aspects of the issue of retroactivity, because we have several things that we can talk about. While we are doing that, I ask the parliamentary assistant to make that information available to us this afternoon.

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**Ms Harrington:** I have just received a note from my legal people.

**Mr Tilson:** My, how things can fly.

**Ms Harrington:** I made a request and since they were not sitting here with me, they provided this note.

This probably will jog the member's memory to that afternoon when we discussed this previously. The written opinions were prepared for the minister in contemplation of the litigation and therefore should not be discussed at this time. The word that is underlined here from the legal person is that this is "privileged" information. I would like to thank the legal staff for getting this to me right away. So what is written here is that the opinions were prepared, and we have every confidence in them, but because they are prepared in anticipation of any challenge, they are therefore privileged information.

**Mr Tilson:** I find this doubletalk unbelievable. I think that is the whole problem with this entire bill, that this government has not properly prepared for this legislation. I mean, we have got interim legislation, we have got green papers, we have got imminent, pending permanent legislation, and none of this has been properly researched—none of this, the retroactive aspect of this legislation, the consideration of how it is going to affect the unemployment condition of this province, how it is going to result in the lack of investment in this province. People do not trust this government; our side does not trust this government; I have a feeling the official opposition does not trust this government because of its actions.

Even this afternoon, information was agreed to be given to us, then seconds later there is a little note that is passed in front of the parliamentary assistant and she says: "Oh well, I was just kidding. I'm sorry. I'm not going to make that information available; it's privileged."

Those are my comments with respect to the legal aspects of the retroactivity of this amendment, and I will be interested in hearing from other members.

**Mr Drainville:** I would like to rise and make a few comments about this clause on retroactivity, this amendment that has been put forward by the Liberal Party. I will not go into all the rationale and reasons why we put forth this bill with this retrospective or retroactive part to it. If they wish to do so, any member of this House or any member of the public could read what has gone on in the standing committee. We discussed it at some length.

But in terms of this retroactivity, yesterday the member for Essex South indicated a number of things that were inaccurate in the picture he painted of the standing com-

mittee and the work that has been done by all the members on that committee. For instance, he indicated that around the discussions of retroactivity most people who came and spoke wept. Two or three people did, and that was of concern to all of us on the committee. It is not easy to see people who are obviously moved and touched in such a way, to see them weeping. It is difficult to take that in, and there was solicitude on the part of all the members of the committee to those people, but to paint a picture that somehow everyone who came in was treated in some cavalier fashion and not heard would be totally wrong and erroneous.

**Mr Tilson:** Some 150 people tried to be heard and were not heard; 150 people and you wouldn't hear them.

**The Chair:** Order, please.

**Mr Drainville:** I hear the honourable member across the way saying that people were not heard. In fact, yesterday the member for Essex South again indicated that there were far more people who were not heard than were heard and he said this is the first time in the history of this Legislature. In my discussions with clerks of committees and other people, that is not so at all. There have been many times, on contentious issues, where the ability of the standing committee to deal with such a contentious issue was limited by time, as it always must be in the legislative process.

Again, what are the pictures that are being painted, and who is actually going to listen to these debates and understand the true dynamics of what went on and what the motivations of the various members were? We can hear all these comments being made by the opposition as to the retroactivity and how awful and draconian the government is. The reality is that we as a government were having to move on an issue that is of major importance to the tenants of Ontario, and we did so in a way that we thought we had to in a short-term period of time, putting in a piece of legislation which would bridge us over the establishment of new permanent rent control legislation. So that is what we did.

I am reminded, as I hear the kinds of comments and the statements that are being made by opposition members, of the old adage that a great many people think they are thinking when actually they are only rearranging their own prejudices. When you hear time and time again about the kinds of arguments that are being put forward, you see the truth of that old adage, so I want to bring that up.

Also, in terms of the legality, the honourable member for Dufferin-Peel indicated that this legislation, Bill 4, is illegal. He surely has a right to have a legal opinion. Of all people in the House, I would offer that right to that gentleman. But to say that it is illegal is totally a fabrication on his part. He does not know whether it is illegal. The courts may decide whether it is illegal, but it is not for the honourable member to say that it is illegal. Again, that is a certain, if I might say, misrepresentation of the reality. He cannot say that, and yet he has.

In fact, as we have looked at the many things that have been said lately, we see that time and time again the picture being painted is quite other than the reality we experienced



on the committee. So I say that we need to be careful to look at the public record, to hear the things that are being said here and to compare it with what happened in the committee on general government.

I also want to say at this time about the kinds of opinions that we heard from many people. You know, we hear talk all the time about how the government is somehow listening only to the responses of tenants. I know in my own riding that I have had many discussions with landlords, in my office and in other places, about retroactivity and about the difficulties they find with this bill. In fact, it is the role of the member to ensure that he or she has the opportunity to speak with all people on these issues and to receive information that will help him to make a judicious and appropriate decision in terms of Bill 4.

The whole view that somehow the government is responsive only to the needs of tenants has to be taken with a grain of salt. In fact, as we hear the constant outpourings, the reading of letters, the reading of memorandums, basically addressed to the opposition members, not by tenants, most of those things that have been read out, but rather by landlords, it gives one a certain picture, and that picture is that perhaps the opposition members are just as partisan or perhaps, dare I say it, even more partisan than the government is on this particular issue. I must say I am totally unmoved by the litany of woes brought forward by members of the opposite side.

I have to say also that there is no question in my mind that there are times when a responsive government has to establish legislation which is difficult, which does not solve all the problems, but which is going to deal with major problems that have to be addressed. We have done that with Bill 4 and we will continue to do it with other pieces of legislation.

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**Mrs Sullivan:** I am just speaking really in response to the remarks from the member for Dufferin-Peel in his interchange with the parliamentary assistant, the member for Niagara Falls. I did not sit on the general government committee, and I was actually quite interested in this exchange, because the question of the retroactivity of this bill and the nature of that retroactivity is of great concern to people in our party.

The member for Dufferin-Peel has indicated there is legal opinion, not only his own but other legal opinion, that indicates the retroactive clause in this bill may in fact violate the charter.

When the parliamentary assistant rose to respond to those comments, my sense, from listening to her, although I do not have the exact words because we do not have Hansard in front of us at this point, was that in fact she appreciated the point of the member, that indeed there may well be challenge to the retroactive nature of this bill.

She also indicated that she could make legal people available—I assume that means counsel to the ministry—who could come to discuss this with members. We know in the House that legal people cannot come to the floor of the chamber to discuss these things with members. None the less, we assume, through her second response, that the

legal people, counsel to the ministry, would possibly provide her with a response.

When that question was asked by the member for Dufferin-Peel, the parliamentary assistant responded that the information was privileged.

Frankly, the parliamentary assistant herself noted that indeed there might be doubt about the question of whether there was a violation of the charter. No information has come before the House since to assure the members that the retroactive nature of this bill does not violate the charter.

We have to understand, of course, that the Charter of Rights was to protect people, was introduced in 1982 as a part of our Constitution to protect the rights of people throughout our country.

I expect the parliamentary assistant to come clean with other legislators here. I insist, and I think other members of the opposition parties will agree with me, that she must put on the table the legal opinion that counsel have prepared to ensure that this bill does not violate the Charter of Rights and Freedoms of the people of this province.

**The Chair:** Parliamentary assistant, do you wish to reply? The member for Leeds-Grenville.

**Mr Runciman:** Thank you, Mr Chairman, and at the outset I want to apologize to you for taking you to task earlier when I suggested that you should have been calling for other members. I was reminded that when we are in committee you are following some rigid requirements in respect to the wording you have to use in questions and comments, and indeed I apologize for chastising you for not doing so.

I want to say at the outset that it is interesting. We talk about the constitutionality of this particular matter of retroactivity, and we have the member for Victoria-Haliburton chastising us and then the parliamentary assistant furiously backpedalling on a commitment she made to our member in respect to making the legal opinions available and indicating that because there is the possibility of litigation, this material is now, based on information she received during this discussion, deemed to be confidential.

I recall going through the debates on Bill 68 and the member for Welland-Thorold and the NDP member serving on that committee being very adamant indeed about the fact that there were legal opinions within government, the Liberal government of the day, in respect to the possibility of challenges to Bill 68, the auto insurance legislation. The member for Welland-Thorold and others were challenging the government representatives on a daily basis to make those opinions available, that it was incumbent upon the government to ensure that all members of this Legislature were as well informed as they could possibly be in respect to this important piece of legislation.

Now that the NDP has formed the government of this province, we are getting the same sort of words being mouthed by the NDP as were mouthed by the Liberal government of the day. I find that certainly disturbing, and I would suggest that it should be disturbing to the people of Ontario generally in respect to the attitude being adopted by the government.



I have a great deal of difficulty, as indeed my party, our critic and, I gather, members of the official opposition do, with respect to the retroactivity provisions of the legislation. I do not think there is any question about them being draconian, and I think that it is a reflection really, even though we have expressed concern and others have expressed concern about the impact this is going to have on landlords across this province, of the message it sends out to a host of interests, not only in Ontario and across Canada but I would suggest to the investment community worldwide, when they take a look at the initiatives of this government, the kind of heavy-handed approach to dealing with primarily small business people, people who are in the landlord business, if you will, in this province, and the attitude it has adopted that, "We don't care about you guys."

We had a speech given by the Minister of Housing some time ago, where he was dealing with a landlord group, a development group, and he said: "Look, I don't care what you guys say. We didn't get along, you're not going to support us, you're never going to support us, so I'm going to forge ahead with whatever I want to do and whatever this socialist government wants to do in this province, despite what you may say, despite your protestations. I don't care if you think they have merit. You guys can yell all you want, all you wish to, but you can bet your bottom dollar that we're not going to listen." And indeed that is what has happened.

We have the member for Victoria-Haliburton suggesting, "Well, we heard from 150-odd witnesses who appeared before the committee." They may have heard, but they certainly were not listening. I guess the problem that all of us have, and certainly I suspect the majority of Ontarians have, is that we are dealing with ideologues here, and the Minister of Housing is one of the strongest ideologues in the current government, and there is no flexibility whatsoever. He is very rigid in his approach to matters such as this, and we are all going to pay a very heavy price indeed.

A number of years ago I was a landlord for a brief period of time. I owned a 12-unit apartment building, and I want to say that after having that experience for a couple of years, I would not want to be a landlord again in this province. There is a host of problems that you have to confront on a daily basis with tenants. The Landlord and Tenant Act is so heavily weighted in favour of tenants that there is simply very little, if any, encouragement left in this province for anyone—any business, any individual, any family—to invest in rental accommodation. It is simply a very negative thing to do if you have some investment dollars.

What this government is intending to do is make it even less attractive, and this retroactivity provision is another very clear message to anyone contemplating investment in this area of the economy, "Back off, back off, back off." The Ontario government is currently the largest landlord in North America, and it wants to grow even larger. They want to discourage any apparently private sector investment in this part of our economy.

I am very concerned about this initiative, and I know that it is a politically dicey issue. It is a tough one for all of us who have concerns about rent controls or impact on housing, the availability of rental accommodation in this province. I know I did a straw poll, if you will, in my own riding a number of years ago, and I do not have a lot of tenants in my riding, but there was strong support for the concept of rent controls. That is a tough one for those of us who have closely witnessed the impact in this province, how we get the message out that what we really need in this province is a system of shelter allowances.

We have to get away from rent control and the concept in Toronto—I know this, Mr Chairman, and I am sure you have experienced it yourself—where people earning six-figure incomes are living in rent-controlled accommodation while we have people lining up for food banks in this province. We have people who cannot find appropriate shelter, and we have people earning \$200,000, \$300,000, \$400,000, \$500,000 a year living in rent-controlled accommodation. People earning \$25,000 or \$30,000 a year are subsidizing people earning hundreds of thousands of dollars in this province.

I ask members, is that fair? It is a message that all of us who have grave concerns about rent control and its impact on this province are having difficulty selling. We have not been able to get that message out there, but we certainly have to make every attempt to do so.

Another element of this, I think in the last fiscal year, is that we spent somewhere in the neighbourhood of \$41 million in taxpayers' dollars to administer rent control or rent review in this province, whichever terminology you wish to use. I must say again, when members take a look at that \$41 million in taxpayers' dollars being expended to continue this heavy-handed approach to provision of rental housing in this province, they should just think what those dollars could be used for, given the tough economic times we are facing.

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In question period today we talked about food banks and the fact that the Minister of Community and Social Services has said: "We can't meet our commitments. We can't eradicate food banks in this wealthy province. We have to live with them." At the same time, they are pouring at least \$41 million of taxpayers' money down the toilet, flushing it down the toilet on an annual basis while people are going hungry in this province.

I would like to hear the parliamentary assistant and I would like to hear the Minister of Housing stand up in this place and say, "This is the appropriate thing to be doing while people, children, families are going hungry in the province of Ontario."

I know in the past there have been difficulties with certain landlords in the province who have not indeed treated tenants fairly, but I think there are regulatory means of dealing with those kinds of individuals or companies. I do not think we have to take this tar-everyone-with-the-same-brush approach. It does not work, it has not worked and it will not work in the future. It will not work. We are getting farther and farther into a quagmire.



We are going to see more and more of these initiatives coming from this socialist government. I do not think we stand up in this House often enough and remind the people of Ontario that we are now dealing with a socialist government. They want government interfering in virtually every aspect of our daily lives. That is the way these people really feel. They are going to continually misuse taxpayers' dollars. They are going to flush all of us down the toilet unless we are very vigilant in this House, from the opposition, on a daily basis.

**Mr Huget:** Mr Chairman, on a point of order: It is my understanding that the remarks are to be addressed to Bill 4, and I do not believe the member is doing so.

**The Chair:** All the remarks should be addressed to the amendment.

**Mr Runciman:** Thank you, Mr Chair. I believe I am addressing the amendment and the question of its impact on this province and certainly what is going to happen over the next four years, unless we in the opposition, the limited numbers that we are, can curtail some of the ideological pursuits of the socialist government in this province.

I want to point out that we are having this sort of initiative undertaken by a socialist government that received approximately 38% of the vote in the general election last September. I am not sure how many voters cast a ballot; I think it was in the neighbourhood of 65% to 70% of eligible electors. This government received 38% of the eligible voters who cast their ballots. They are committing themselves to this kind of initiative, obviously with not a significant support within the province for the government.

Again, I say it places an increasingly heavy burden upon us in opposition to make sure that on a daily basis we are carefully scrutinizing every initiative of this government and ensuring that we do the best job we possibly can to ensure that in the four years this socialist government is in office, it does not ruin the economy of this province, so that when the Progressive Conservatives assume office four years hence, we are going to be able to get this province back on its feet.

I want to say these are dangerous days indeed for all of us in this province, when we have to look across the floor at this ragtag group that is currently governing the province of Ontario, when we have ideologues like the Minister of Housing, who brings in an initiative like this with a measure as draconian as retroactivity, with no concern for capital investment. We have people crying in testimony before the committee, and the member for Victoria-Haliburton has the gall to get up and say: "Well, we were concerned. We were bothered." Well, how bothered were they? Certainly, the legislation, the amendments being brought in do not reflect any genuine or real concern on the part of the government, none whatsoever.

In summation, I want to say that hopefully we, over the next period of time, are going to be able to raise the levels of awareness among the people of Ontario. I think the demonstration here today helps. There is growing sentiment among the population of Ontario that this kind of initiative is harmful in the long run to all of us and we are certainly going to continue to do our job. Certainly I want

to commend our critic, the member for Dufferin-Peel, for the outstanding effort he has been undertaking on our behalf and I believe on behalf of all the people of Ontario.

**Mr Drainville:** Mr Chair, a point of privilege, please: As I look at the good turnout of our members in the government and how hard we try to look official for the people of Ontario, the term "ragtag"—there must be a place where that is considered to be unparliamentary.

**The Second Deputy Chair:** It is not a point of privilege, but it is a point of view and we appreciate that.

**Mr Mahoney:** I do not think the government members are too ragtag. I think they look pretty sharp today. I am more concerned about the quality of their understanding of the bill and the process than I am about their clothing.

Having sat through about four weeks, I guess, and having travelled with the committee to some parts of this province and having listened to people, I have serious concerns about the six weeks of the committee process, and I have a lot of concerns about the fact that the government, the parliamentary assistant, the minister who chooses not to be here during this very important debate, and other members of the committee seem to just want to ignore the concerns that were expressed.

One of the things that really bothers me is that during question period and other debates in this House, we have had people stand up and say that the opposition is holding up the government's ability to bring forward some business because we are delaying Bill 4. That really concerns me, and I want to give credit where credit is due. When the critic for the third party demanded that it go out to committee, there was general agreement. As a matter of fact, I was quite surprised at the reaction. It seems to me, looking at it today, the reaction was simply intended to perhaps throw the third party off. With respect, I do not think it worked, but he stood up and he said—

Interjection.

**Mr Mahoney:** Well, I recognize the efforts of the critic. I think he took a few lessons from our critic, but I think he did an admirable job. I was impressed with his efforts in committee. But the minister stood up and said he was delighted to have this bill go to committee. It seems to me that the issue on retroactivity we are debating here today is so vital to this, because really what the minister said was: "We'll let it go to committee. The bill's going to be retroactive, so therefore it doesn't really matter when we pass it," because any landlord out there who did not realize that as of 1 October this bill was in effect, was coming into force, was not paying attention and was not listening. Therefore they agreed with its going to committee, not really caring about the committee process, because the bill was already pre-determined to take effect on 1 October.

You do not have to be a rocket scientist to figure out that that generally is not a very democratic process. They say to someone: "We're going to let this go to committee so that there can be full, public consultation. However, the starting date for the bill is six months ago." Now, does that make sense? Can anyone show me in any way that there is any fairness?



I asked the minister with the very sharp tie, who is a bright young guy, if he could tell me, does that make any sense? Would the people in Elgin, where there must be a few apartments, think it makes any sense to send a bill out to committee—that minister would not do it—and then tell everybody it does not matter that it is going to committee, that it does not matter that we are going to spend hundreds and thousands of dollars taking the staff and the members and Hansard and the translators and everybody around the province to London and Sudbury and Hamilton and Ottawa? “It does not matter. The bill comes into effect six months ago.” The minister should explain this to me.

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I do not understand how the member can look at his constituents in the face and tell them that is democratic or even in the slightest way fair. It seems to me, when the minister comes forward and suggests that the members of the opposition are holding up the government's ability to govern, that we get no ministers' statements in this Legislature—nothing.

The Attorney General brings in a couple of AG bills that were left in the top right-hand drawer by the former Attorney General. He happened to open the drawer and say: “Oh, what are these? A couple of bills that the Liberals had.” He dusted them off and said: “They look pretty good to me. I think I'll introduce them in the House. We'll fool the people. We'll make them think we're working.” But other than that, well, one must admit the only legislation they brought in that has had any substantial effect at all has been Liberal legislation.

**Mr Cooper:** Bill 1.

**Mr Mahoney:** Yes, Bill 1. They jumped right on to the bandwagon of the GST with Mulroney. That was just after the government announced it was going to fight a revolution—amazing.

Here we have this bill with the retroactivity attached to it, and the government comes forward with the unmitigated gall to try to perpetrate a fraud on the people of this province—that was tough to say—that it is bringing in a bill in a democratic process and the minister, and even the Premier, stands up to answer in question period and says, “We can't bring in any new business because you people in opposition are delaying Bill 4 and the SCOE legislation in justice.” Shame on him. Really, that is absolutely shameful.

The government makes announcements, it sends out orders in council freezing development around landfill sites. It throws all the landfill sites in the province that were ready for environmental assessment off the table. It throws the entire province into a tizzy. It throws the people in northern Ontario into bankruptcy. It does not allow them to restart the railroad with more jobs. That is all the government does. It makes announcements, no legislation.

**An hon member:** In other words, we're not happy.

**Mr Mahoney:** They might be getting the impression that we are not happy. They bring in legislation like Bill 4, send it out to committee, make it retroactive and then try to pretend the opposition is holding it up.

I will tell the members what it is. It is an attempt to blackmail and hijack the democratic process in this House and it is intolerable. This minister has no right, particularly this minister, to tell an opposition party or parties that because the ministry is concerned about aspects of his legislation, because it is fighting on behalf of its beliefs, because it is standing up for its principles, because the opposition is saying that this minister is wrong and this legislation is wrong, he accuses the legislation of stalling. This minister owes every member of this opposition and the third party an apology for making such an absurd statement.

**Mr Fletcher:** Sorry, sorry.

**Mr Mahoney:** I would like to accept the apology from the member from the back benches, but it is not good enough. We would like it from the minister. He should know better, because I sat over there and watched him sitting over here—if members want to see stalling, let me tell them—with no reasoning, with no justification, with no backup. We have the backup. We travelled in this province. Members should just let me share with them some of the concerns.

Now that they understand our concern about the attempt to hijack the committee process, they should not agree to send it to committee in the first place if they are going to make a mockery out of it and the minute there are legitimate concerns put forward by members of the opposition they accuse us of stalling, of hamstringing their government. If their government is truly hamstrung because of two committees and two pieces of legislation, one of which is retroactive in the first place, then maybe their government should resign. Maybe the members opposite are incapable of governing. They should bring some work into this House. They are doing nothing.

**Mr Hayes:** Quit holding it up.

**Mr Mahoney:** We are not holding anything up. The government does not even understand the democratic process. I was elected, as were all of my colleagues, to come here on behalf of our constituents and on behalf of all the people of this province to debate in the democratic process, in the parliamentary system: to oppose where necessary, to be constructive where it is possible, and to discuss and debate issues and put all of the pros and cons. What does the government want? What it wants is just to slam dunk the legislation through, never mind the debate, not bother doing its job, make it retroactive to last October and to hell with the consequences.

I am sorry, but this really does make me angry. I can put up with our philosophical differences. I can live with the socialist hordes because the members opposite were elected, and frankly they have four years: They will be a one-term government, and most of them will never see the inside of this place again except maybe on television.

I am going to tell the members opposite that they are not being fair to the people of this province when they try to jam retroactive legislation through the House, when they totally attempt to hijack the committee process and when they attempt to blackmail the opposition by suggesting that they will not bring any other legislation forward dealing with food banks, dealing with garbage, dealing



with recycling, dealing with other aspects of the environment, dealing with affordable housing. They will not bring anything forward in this Legislature because the opposition is debating and arguing two bills in committee. It is unbelievable. It is truly unbelievable.

I want to share with the members that as we went into the city of Hamilton with our committee and we were talking and we heard—I think it is important that people understand we heard from people from all walks of life deal with the issue of retroactivity and the entire constitutionality, which has been a matter of some discussion and in my view will continue to be for some time, of Bill 4.

One of the things that puzzled me was that the types of people who came before us in many, many cases were people that you would expect a New Democratic Party government would listen to. Let me give the members the first example. Here is a gentleman who represents a group of 40 people. They started an investment club, and they invested in some small rental projects. This is not some big, foreign-owned company. This is not some big numbered corporation. This is not some tax dodge. This is 40 people in Hamilton in an investment club. Sounds like a good idea. They are people who work at Stelco. They are people who work in local industry. These 40 got together with some of their savings and they pooled them. The fellow who spoke for them was a Mr Mate, and he says, and I want to quote from Hansard:

"I am not a politician. I work in the steel industry. As a matter of fact, talking about the steel industry today, the government supposedly is listening to our fellow workers at Algoma in Sault Ste Marie. Whether anything will come of that is unknown to me. I would like to think that these hearings that are progressing—although I did hear on the radio this morning that the green paper presentation will come out on 18 February and we still have not finished all these hearings. So I am curious why the government would even propose such a situation at this time."

This is one of the government's people. This man works at Stelco. He is a steelworker. He is supposed to be part of the government's constituency.

The parliamentary assistant asked a question of Mr Mate, talking about senior citizens and his tenants. I will go on to quote her: "If they are on fixed incomes, basically they might get a cost of living allowance increase every year which is maybe 5%. How can they then afford a 10% increase each year?" That is in reference to the average increase in their units. "Of the tenants you have, how many have had to move out because of the increase of 10% a year?"

1620

Mr Mate—the member's constituent, her friend, the steelworker in Hamilton, part of a 40-person investment club—went on to answer:

"I do not believe we have had so many people move out because of the increase. I think it is just basically economic situations for various people. People have lost jobs. They just cannot afford to pay the rent. Maybe they will share with somebody else. We have tried to look at every case individually, not just as a whole. We have one building where we have some senior citizens, right here in the

city of Hamilton. We have directed them to the self-help group, and it has been very helpful. We are willing to work with our people. The key thing is to have a full building, 100% occupancy, and in one case we have even reduced the rents to keep the tenants."

I ask the parliamentary assistant and the members of the socialist government, how can they look a man like this in the face and tell him that they are going to pass legislation that is retroactive, that, in essence, is going to bankrupt him?

These are the types of people we are dealing with. We even had people come forward as another example and give us some alternatives. I want to share with members the testimony of Arun Pathak. Mr Pathak came forward and said he would like to ask the committee to seriously look at a proposal that he had to the current bill, an alternative. He said:

"To try to justify this reckless legislation, the minister and the Premier are fond of quoting three things: 100% or 150% rent increases, luxury renovations and flip after flip after flip.

"First, the 100%-plus rent increases: They have affected one in 14,286 units, and if any person tells me that this problem cannot be solved by a cap or a phase-in of capital expenditure, he is a fool or a liar and should withdraw from this debate." Those are not my words; those are the words of one of the witnesses, Mr Pathak in Hamilton. He goes on:

"Luxury renovations have also been exaggerated out of all proportion. No figures are available, but they can be solved in one of two ways. Either define luxury renovations in the legislation and disallow any of them, or give tenants a veto on renovations in their apartments." It is a suggestion. Would the government look at it? It just ignores these good suggestions.

Regarding the flipping of apartment buildings, Mr Pathak's suggestion is that this "can be stopped by a speculation tax, about which there has been some discussion. Again, no figures are available with regard to flips, and a change in management can lead the tenants to think the building has been flipped....

"These three things would stop the perceived problems without stopping capital expenditure. The effects on the economy would be minimal; job losses would be minimal. Landlords would not face hardships and possible bankruptcy, and I expect all parties in the Legislature would show general support, as would landlord and tenant organizations."

The man put forth what I consider to be some viable discussions. Whether or not members agree with everything he said perhaps is a moot point. But the reality is he put forth some constructive ideas that this government has ignored. Instead it is steamrolling ahead with its head in the sand, making the legislation retroactive and playing political games.

We even heard, Mr Chairman, to share with you, from a number of tenants' associations, the Federation of London Tenants Associations, Mr Boullion. He comes forward and he says, "My initial reaction to the proposed bill was that of great delight." He then goes on to say further down in Hansard:



"My fear is that although the bill is meant to protect the tenants against large rent increases, the wording in many areas is vague. I feel this could be used by landlords as a loophole to prevent them from even keeping up necessary maintenance. If it were possible to strike a balance between landlords and tenants, it would not be necessary to implement any legislation."

You know, common sense says a lot in this world, and that is what the tenants in London, Ontario were telling this committee and our parliamentary assistant; that is what they were trying to tell this government, but once again they are being ignored.

Other people who came before us—very interesting—included a Mr Schnurr representing Marshall Resources (Ontario) Ltd. When Mr Schnurr introduces himself to the committee, he says: "I myself am a small landlord in this province. I am a voter and I am a taxpayer. I have in the last 12 months reduced my portfolio from 65 units to one duplex. I have no intention"—and this is a point that one of the members over here made about confidence in the marketplace in this province—"of re-entering the marketplace in Ontario until I see a dramatic change in the direction of the provincial administration in this province."

Can you blame him? I mean, you would have to be suicidal, stupid or have some other serious problem—no reference to the members opposite—to invest in any industry here with the kind of attitude that we are seeing. This gentleman was quite bright enough to figure that out. He goes on to say on the next page:

"It is a matter of fact that the existing legislation is fair and reasonable and a reasonable means of dealing with rents in this province. It is a matter of fact that less than 75% of the units in the province have ever been to rent review. It is a matter of fact that less than one half of 1% of the units in this province received increases in excess of 30%. It is a matter of fact that half of 1% of the units in Ontario received increases in excess of 100%."

Where, he asks, are the abuses, except in the minds of the minister and the Premier?

"The facts indicate to me that the system is working in its present form. It seems to me that the only problem with the present legislation is the political aspect."

He is actually suggesting that the minister and this government are bringing in Bill 4 for political reasons. I did not suggest that, although I happen to agree with the gentleman.

I want to take members to one final presenter before I wrap up my remarks: Sandra Matthew. Sandra Matthew came before us, and she opens up by saying, "My name is Sandra Matthew and I am a tenant." She goes on, after telling us a little bit about her situation, to say:

"The Rae government made a decision to change the existing laws and then, to add insult to injury, it decided to change those laws retroactive to 1 October 1990. What a bloody bombshell. Such actions must warrant a lawsuit. However, that would be another matter. Suddenly I found myself witnessing sensationalism concerning greedy landlords and gouging. I had to listen to tales of woe concerning poor tenants whose rent had been increased by 100% and 150%. Nobody ever did tell me 100% of what initial amount and 150% of what initial amount—maybe \$40,

maybe \$100. Sensationalism was the correct choice of word."

1630

It is important that I share this with members. She goes on to say:

"I found myself listening to standard questions from some members of the panel, questions such as, 'Do you care?' and, 'How many people have suffered economic eviction from your building?'"

"Well, I care. That is one of the reasons for my being here and no one in our building has been priced out. I should not overlook the old faithful statement, 'We disagree on many points.' I know for a fact that we disagree on almost every issue. That is another reason why I have chosen to speak to you today. Hopefully," she begs, "someone will listen to me—I mean, really, really listen—and set aside any further notions of trying to shaft us."

"Our building, as I informed you earlier, is my home. It is warm and friendly, clean and comfortable. It is beautifully maintained and free of vermin. As a matter of fact, I have never seen a cockroach and I really do not feel deprived. My fellow tenants and myself are proud to have our friends and relatives visit us at 1000 Huron Street, although right now we have a huge cloud hanging over our heads."

"Will the institution which financed the necessary replacements in our homes go power of sale, courtesy of the Rae government? Will our landlord who has worked so diligently, a person we all admire and respect, be forced to sell, courtesy of the Rae government? Will we ever again receive the kind of care and consideration we have become accustomed to, should our homes be placed in the hands of some stranger, courtesy of the Rae government?"

What answers did she get? She was ignored. This legislation was brought back to this place. This legislation has seen really one change and that one change will simply recognize the fact that conditional orders had been given, and approvals, under the former legislation. What a miraculous thing for this government to do, to actually say to someone: "Okay, you got us dead to rights. We've talked to our lawyers and we know you've got it in writing, under Bill 51, under the RRRA. We know you've got permission to do this. Oh, all right, we'll be really good guys and gals and we'll agree to it." Amazing.

Let me tell members how the member for Eglinton, the critic for the Liberal Party, had to fight in committee to get this government to agree to that. It is embarrassing that we had to fight with everything we had to get this government to agree to what should have been as plain as the noses on their faces. So they ultimately did agree, and at least we in the Liberal Party can hold our heads high and say that we fought at the committee and we got them to agree to that amendment.

I hear some groaning and grunting from my colleagues opposite. I do not know what it is about and do not frankly much care.

We can hold our heads high in committee and I am sure even the Housing critic for the third party would admit that the critic for our party did an excellent job in



fighting to get that legislation amended. But did they do anything else?

Instead, what have they said to Sandra, to Mr Schnurr, to Mr Bouillon and to the dozens of other people, to the mother and daughter from New Liskeard who came to see us in Sudbury at their own expense—and it was only after I moved a motion at committee that we agreed to cover their costs—to tell us that we were putting them into bankruptcy, to the young man who bought the apartment building from his grandfather and personally renovated it into an apartment building for six people and did the work with his bare hands, and we are going to put him into bankruptcy with this legislation? To all of these people, this government has said: “We don’t care. We think that because we have got some political pressure from some tenant groups in Toronto”—even they came before our committee, a couple of them led as part of an entourage with some city aldermen, all primed up and juiced up and ready to go, and I asked them one simple question. I said: “Tell me something. Other than the cap on the rates,” which I have no argument with, “can you tell me one thing in this bill that helps your tenant group, one thing? Will it help get rid of the cockroaches in your units? Will it repair the holes in the walls that have been ignored and left by your unscrupulous landlord? Will it fix the heating? Will it fix the broken appliances? Will it clean the halls and make them safe for your children? Will it do anything to the underground parking that is crumbling before your very eyes?”

**Ms Poole:** No.

**Mr Mahoney:** That is exactly the answer that the tenants’ groups were giving us. They were saying no. Other than a cap, which we have no argument with, it does nothing to protect tenants’ rights. We struggled in committee to try to understand who is driving this automobile, this Bill 4 vehicle. Who is the pilot here?

The minister, with tears welling up in his eyes to the point that I was ready to choke or gag, I was not sure which, told me of the senior citizens who came before him in Windsor saying that they were going to jump off their balconies because of the rent increase. They were going to jump off the balconies, they were so desperate.

Instead of addressing an issue that would prevent those huge rent increases, instead of perhaps bringing in some legislation that was caring and moderate and understanding and that would address those rent increases, what he has done is he is bringing in legislation that could well be in place for two years, retroactive to October, that will mean those balconies that those seniors have will become unsafe for them to stand on, never mind jump off. They are going to crumble and fall to the ground and then I want to see the big alligator tears from the minister.

It is unbelievable that he could be so stubborn and pigheaded in his approach to this issue when he has been given alternatives. The minister should not make the legislation retroactive. He should not bankrupt thousands of people, not only small landlords—the big ones will survive, you know. That is what is so frustrating. The big landlords in this province will survive any legislation you

bring in. They will wait out the four years, even if they have to subsidize it. They will wait it out. They will find other ways to make money. They will survive. The people who will not survive are the little guys, the people the government purports to represent, the landlord who has to go every day with a chain of keys here to open his apartment units and a hammer over here and a screwdriver back here because he does his own work.

These are the people his legislation is going to harm. He heard about them in Hansard, they came before our committee, and yet with a complete blind eye, with a complete uncaring heart, with a cold-blooded, calculated attempt to satisfy some political need, somewhere in Toronto, I can only assume; I am not sure, because even there I was hard-pressed to find it. Because we know that is happening in other areas. In the area of the environment we know that people like Gord Perks are setting the agenda for his government. In labour management and in economic affairs, we know that people like Bob White are setting the agenda for his government. We understand that.

What I do not understand is, who is driving this one? It cannot be the tenants in Parkdale who suffer the way they suffer with the photographs they showed us, because they admitted this bill will not fix up those problems. It cannot be them. It cannot be the alderman who brought in the entourage, because I asked her, will Bill 4 solve those problems on behalf of the senior citizens she so diligently represented? She said no. She did not say it at first. I had to ask it a couple of times. But she did say no, so who is driving this truck called Bill 4?

The minister is steamrolling over the people in this province. The tenants are unhappy, and let me tell him he should mark my words. The tenants will not forgive him for this because he is not solving their problem. Already they are coming out against the government and its green paper because it is backing off of promises it made in the election, in the Agenda for People and on platforms all around this province. They are coming forward saying, “The NDP lied to us.” They will not forgive those ladies and gentlemen opposite.

**1640**

Maybe some members opposite can sit there and say, “Well, I don’t have many tenants in my riding,” but let me tell them to look around their caucus. They know the old story, “Look to your left and look to your right and say goodbye to those guys, because they are not going to be here next time, and then when you go home tonight, look in the mirror and say goodbye to that one too because he ain’t going to be here.”

The tenants are not going to forgive them. The business community is already waiting for the day it can turf them out of office for bringing in outrageous legislation.

**Mrs Sullivan:** The trades.

**Mr Mahoney:** And the tradespeople they are bankrupting. Mark my words, by the end of their term even their precious labour unions are going to be angry with them. They might even issue a directive to stop the check-off of the union dues going to the New Democratic Party. And then what are they going to do? They are going to be



out of money, they are going to be out of ideas, they are going to be out of policy, they are going to be out of luck. They are going to be out of government, that is where they are going to be, out of government.

They are going to be able to look back to Bill 4 and say, "Well, aside from Bill 1, which was when we jumped into bed with the Tories, Bill 4 was the first piece of legislation we brought forward with our government's stamp on it, and it was the beginning of the end."

**Hon Mr Pouliot:** Just look at your entourage. Just look at your colleagues. Your colleagues are embarrassed.

**Mr Mahoney:** It was the beginning of the end, I say to the Minister of Mines. He may not have too many tenants up in his riding, he may not have to worry about this issue, but if he talks to his colleagues who represent Metro ridings, if he talks to his colleagues who represent a riding in Ottawa, if he talks to his colleagues who represent ridings in London and in Sudbury, where they do have tenants and they have small landlords this government is burying economically with absolute determination. The government is destroying them financially, and to make matters unbelievably worse, it is doing it retroactively, with no chance for them to bail out, with no chance for them to say, "I want out of this mess." We are going backwards.

And by making it retroactive to 1 October, it takes it back potentially 18 months. It is not just 1 October; it takes it back potentially 18 months, because there was money spent over that period of time, some of which was on conditional orders which, now that they have had legal advice, they will honour because they know they would lose that one in the courts. But others who did not have it on a conditional order but spent it in good faith, because they read the existing legislation and they knew what they were doing and they spent it in good faith in all truth and honesty, they are telling those people, "Tough luck, you lose."

Let me tell these folks opposite, four years from now it is going to be, "Tough luck, you lose."

**The Chair:** Before I recognize the next speaker, it is a real pleasure and honour for me to introduce, in the members' gallery, his worship the mayor of Cornwall, Phil Poirier.

**Mr McLean:** I am pleased to rise today and to speak on the amendment by the member for Eglinton on Bill 4.

It was not too long ago that I had the opportunity to gather a few people together in my riding and have a kind of open forum and discuss various issues of the day. About 130 people turned up, and the major discussion of that meeting was Bill 4. It was not my doing. I wanted to discuss various aspects taking place in Ontario, but on the minds of people in my riding today was Bill 4.

I have some constituents who are small landlords of four- and six-unit complexes who had applied for rent increases before this retroactive legislation was brought in, had met with the tenants and the tenants had agreed to whatever the increase would be. As a matter of fact, the rents were as low as \$200 monthly and as high as \$325 monthly. This individual has spent some \$54,000 remodelling his building to bring it up to standard, with the

agreement of five of the six tenants who attended the meeting, and now finds that he is going to be out of luck.

I think I heard here today our party's critic questioning the parliamentary assistant with regard to the constitutionality of this bill. I also believe I heard her indicate that she had the information and that she would get it. I also heard a short time later that she did not feel she could produce that information, because of the legality of it.

I think there is quite a bit of strategy being played here with regard to this legislation, and it is certainly upsetting the landlords of this province. If any members were outside today to see what was taking place, the demonstration that took place today, that would certainly be an indication of how they feel. The interesting part, though, I say to the parliamentary assistant, was that they were not all landlords who were there; there were a lot of tenants and workers who were at this demonstration. So for her to believe that it is just landlords who are upset, I can tell her that it is not. There are an awful lot of landlords in this province who are very upset.

I have a small landlord who sent a letter to the Premier some time ago, and I would like to just quote some of the contents of the letter. It says:

"Well, you've really started out with a bang. One month after I buy an apartment building which has been under rent review, you cancel it. We had the authority to raise the rents 10.4% for the next two years. Based on this, we were able to justify the price we paid for the building. The building is 26 years old and it needs upkeep. Do you think I'm going to spend anything extra on the building? Well, I don't think so. This is not the way to stimulate an economy that is in rough shape. Well, Bob, I hope you don't come up with another great idea to help the little guy, because some day there won't be any left to take it."

That letter was from Kirby Wagg in Orillia, who had just purchased, as he indicates, a small complex.

When we look at the retroactivity of Bill 4, it is not right, it is not proper and it is not appropriate for any legislation to be brought in as this piece of legislation has been. I know many of the members sitting over there, if they had their own personal feelings they could express, would agree with us on this side that it is not right or proper. Before the last election, I heard the now Premier of this province standing before us in this Legislature condemning the former Premier for not being up front, not being what he would class as coming forth with the truth for the people. Today the Premier has done the very identical thing the former Premier did, so when you look at the activity and integrity, it certainly says a lot of this Legislature and its content today.

During the last election we had a great deal of discussion with regard to mobile home sites, and there has been a lot of discussion within this bill with regard to mobile home sites. My NDP opposition at the last election delivered to every mobile home park in my riding to indicate to them that if he was elected and the NDP government became elected, it would bring in legislation that would allow those people to be able to own their own site in that park. To this day, I have not heard nor seen any indication of any legislation, and I am not sure how you would bring



in legislation unless you bought the property from the owner. So to indicate to the people in that park that his government would bring in legislation that would solve their problem of ownership totally was not being up front with the people.

1650

The outlining of some of the retroactivity of the bill, I would say, is vindictive and will lead to bankruptcies of many landlords, and that will be to the detriment of the tenants. The bill will lead to thousands of job losses in the capital repair and renovation industry, which we have seen has already happened. The major part of the large amount of unemployment and people who have gone on the welfare rolls in this city is because of Bill 4.

The standing committee on general government dealt with Bill 4; it travelled the province and listened to many delegations. I am sure it would have brought through some amendments by the government that would have solved some of those concerns that were raised.

I believe that the legislation will cause a major problem to the tenants of this province. I realize there was a problem with some of the landlords who want to gouge, so to speak, tenants with the shifting and turnover of their property. I totally disagree with that, as I think pretty near every member in this Legislature would disagree with what some did; but you cannot punish the majority because there are a few bad apples in the basket.

Those are some of the major concerns that I have with the bill and I would hope that the government would see fit to accept some of the amendments that are being placed before it with regard to the retroactivity of this bill. It is not right and it is not proper, as I have said before, to bring legislation in and have it dated back maybe almost a year after it was passed.

I also say to the parliamentary assistant that I wish she would come clean with regard to the question my colleague asked with regard to the constitutionality of this legislation. I think that is so important. How can she sit there and say, "We have the information and it is available," and a few minutes later come back and say, "Sorry, but it's confidential because there may be a court case over it"? I do not know how they can accept that. I cannot and I know that most of those members cannot.

The major part of this bill is totally unacceptable to me and I am sure it is unacceptable to the people of the province. If anybody thinks we are here speaking on behalf of the landlords, yes, we are, but we are also here speaking on behalf of those many tenants who are in the buildings.

I had a letter here with regard to somebody in Timmins who had a \$53 rental per month. I also read where if they had done the remodelling and adjustments, it would raise to \$275 a month. That is a major increase, I agree, but it depends on what type of accommodation you are going to be getting. There are lots of people and tenants who will be looking forward to having the rent increased.

As to the green paper that was brought in to be tabled in the House on the 18th and the public hearings that were held across the province, the minister wanted to have those hearings. He did not want our critics to be able to speak. He wanted them to come and to sit in and to listen and

look nice on the platform; however, no input. In my area he invited the landlords to a private meeting, he invited the tenants to a private meeting, and then he had what they called an open meeting.

I certainly cannot believe what I have seen and heard this last six months from my colleagues who used to sit to my right here, preaching openness, fairness, integrity and honesty and being up front with the people, the very same people who have brought in this Bill 4 to freeze the rent increases.

I want to say that the opportunity to have some input into this legislation and the retroactivity part, to me, is what it is all about. I want to thank you for the opportunity, Mr Chairman, and I hope that the parliamentary assistant would see fit to get the information that she said was available, what my colleague had requested. If she cannot produce that information, we are going to have a problem getting this legislation passed.

**The Second Deputy Chair:** Any further questions or comments on Ms Poole's amendment? The honourable member for Eglinton.

**Ms Poole:** I just want to speak very briefly to something said by the member for Victoria-Haliburton. He said that some people consider they are thinking when what they are really doing is simply rearranging their prejudices. Well, I would say to this government that you pretend that you are listening when what you are doing is simply reinforcing your own prejudices, and one of the prejudices you guys have—I did not say youse guys, just you guys—one of the prejudices you have is that you think that all landlords, all investors, all financial institutions fit the typical stereotype.

Interjections.

**Ms Poole:** The Conservatives seem to be quite overactive this afternoon, Mr Chair. Maybe they got their Wheaties or something. Oh, they have calmed down, so maybe I can continue.

**The Second Deputy Chair:** Address the Chair and it might make it simpler and quieter.

**Ms Poole:** Thank you, Mr Chair. I will certainly continue to address you, if you can hear me, I am not sure, above the rabble to my left, who are really to my right.

What they are saying as members is that they agree with the stereotypes, the typical stereotypes that all landlords are grasping, greedy, evil individuals who have nothing but their own profit in mind, and I will tell them, there are some of them like that, there is no doubt about it, but I would submit that landlords are just like any other set of individuals. You have your good ones; you have your bad ones. You have your greedy ones; you have your compassionate ones. You have your ones who are fair and sensitive; you have the ones who do nothing but make life miserable for tenants. But what you have to realize is that they are not all the same, just as all tenants are not the same.

Some tenants are extremely vulnerable. They cannot speak for themselves. Other tenants who have been very active in the tenants' movements are quite eloquent, quite prepared to act, not only on their own behalf but on behalf



of all tenants, and are quite well equipped to do so. Some tenants are very good. They pay their rent, care about their building, try to have a good relationship with their landlords. Other tenants: Let's be charitable and say they are not so good. They skip out on their rent. They make life difficult for other tenants by having wild parties.

So when they are stereotyping, when they are reinforcing their own prejudices, they should try to remember that landlords, investors, financial institutions are the same as other individuals, and they should try not to let their prejudices blind them to what is wrong with this bill and what they can do to correct it.

That is the lecture for—

1700

**Mr Turnbull:** On a point of order, Madam Chair.

**Ms Poole:** I was just on my last sentence.

**Mr Turnbull:** I do think it is important to point out that—

**The First Deputy Chair:** A point of order from the member for York Mills.

**Mr Turnbull:** I do excuse myself for interrupting the member's last sentence, but I think it is absolutely reprehensible that there is absolutely nobody here from the ministry. We have neither the minister nor the parliamentary assistant. That is the kind of respect this House gets for this serious legislation. Is there absolutely no interest in this debate? Why do we have a Parliament at all?

**Hon Mrs Coppen:** On a point of information, Madam Chair: The parliamentary assistant had an emergency phone call. She just came over to me to tell me she would not be any more than about two minutes. She notified me. She is in the lounge. She has not left the building. She will be right back.

**The First Deputy Chair:** You can continue, member for Eglinton.

**Ms Poole:** I thank the member for York Mills for that courtesy and I thank the chief government whip for the point of information. I was on my last sentence but I have forgotten it because of the interruption, so I will just have to start all over again. Then the parliamentary assistant could hear my words as well.

To wind up, in respect to the comments by the member for Victoria-Haliburton, when he is lecturing to us about how we are thinking and how we are rearranging our own prejudices, he should try to look in the mirror and ask himself the same question: How many prejudices is he guilty of and how is that affecting his objectivity on Bill 4 and his desire to bring a balanced, fair piece of legislation in? I submit to him that it is having a dramatic impact and that he had better revisit his position.

**Mr Tilson:** I have a question for the parliamentary assistant, but before I ask that question I would like simply to comment on the remarks made by the Minister of Housing that the opposition parties are trying to stall this legislation. That is the furthest from the truth. There have been motions by the Conservative representatives on the committee that we wish to have a number of experts come and give testimony. The member for York Mills repeatedly re-

quested for financial experts, economic experts to come and discuss the legislation to clarify the effects it would have on the province of Ontario. For some unearthly reason that was denied.

The only expert piece of testimony that did come to us, Madam Chair, was from Mr Thom, as you know. The province of Ontario spent, I think, \$3 million on his report, and the committee gave him one night, a couple of hours to discuss something he was never asked by the Minister of Housing to discuss—such important issues as the issues of retroactivity and other issues with respect to the effects Bill 4 has on our legislation.

The only thing we heard from Mr Thom was his representation when he came to us on one particular evening and made his comments with respect to rent control. He indicated he has never been invited by the minister yet the minister continues to say we are trying to stall this legislation. What we are trying to do is to bring very serious issues and very serious implications which this government has never considered, implications that have been brought in a very brief manner by Mr Thom. I say that respectfully, because certainly a man of his qualifications—I think more than a couple of hours should have been spent by the Minister of Housing. His staff and the minister did not spend one iota of time other than that evening. That is reprehensible.

Certainly, members of our party had to fight and fight to have these hearings extended to hear the representations to be made in other cities. We fought about that, and finally the government saw the error of its ways and agreed that these hearings could be extended to places like Hamilton, London, Windsor, Sudbury and Ottawa.

I think the most glaring issue of this government is the fact that there were at least 150 applicants who wished to be heard at these hearings, and they were denied. This government is determined to ram this legislation through this Legislature. It would not hear all those people, landlords and tenants and other people of our society who wanted to express their concerns on this legislation.

I have spoken to individuals who made application on the day the advertisements were made by the clerk of the committee to advertise these hearings, and people were told by the clerk that the hearings were full. There were no extensions of the time. We repeatedly asked the government to extend the dates for the hearings so that we could hear the people of this province, hear their concerns on retroactivity and other issues of Bill 4. That was refused by this government. This government has one thing in mind, and that is to ram through this legislation without reviewing it and without reviewing all the implications it has for the people of this province.

Then, of course, the crowning bit of work by this minister and his government is the so-called green paper. He calls that consultation. It is green. It is terribly green and it shows the inexperience of this government and how it is not consulting. The member for Simcoe East commented a few moments ago on the procedure of this so-called consultation, how individuals are asked to come and hold private meetings with the minister. There is no debate with the public. The public was not allowed to hear these



private meetings. We have no idea what was heard in private meetings of the minister. In fact, tenants and landlords have spoken to me and said that in some cases there was no answer to questions that were made to the minister. There is no excuse for that type of consultation. It is not even consultation. A whole new meaning of the word "consultation" has been given by this government. It is called "ramming legislation through."

I will also indicate that if it were not for questions that were made in this House, I think by the member for Oriole—yes, the member for Oriole asked to appear at one of the hearings and she was refused the right to appear. In fact, I can tell members first hand that the ministry did finally invite me and the Liberal critic, the member for Eglinton, to appear at these hearings, but we were not allowed to speak. It was made quite clear to us. We could go to them if we wished, and that was only some of the hearings. We were not allowed to go to these private meetings the Minister of Housing was taking. We were not allowed to speak. In fact, it was our suggestion that perhaps the member for Eglinton and myself should have cardboard cutouts of ourselves and put them up on the stage with the minister, because that was our representation.

The final issue, of course, with respect to the consultation: I remind the parliamentary assistant and the government that the terms of reference of this Legislature were that in addition to discussing Bill 4, the committee was to review the entire provisions of the green paper whenever it would be issued. Of course, the minister chose his own sweet time to introduce that green paper. We never have discussed it; our committee has never discussed the green paper. I do not know whether we are or not. My guess is that we are not. In fact, there is no consultation by this government with respect to permanent legislation.

Before I ask my question of the parliamentary assistant, I must say I am simply outraged at the fact that the government would say we are trying to stall this legislation. All we are trying to do is to raise the very serious implications, and we hear the snide remarks made by certain members of the government as we are trying to do things to improve the serious crisis we have in the housing industry in this province.

My question is to the parliamentary assistant and specifically has to do with the first portion of the amendment, which talks about where there is an agreement between a landlord and a tenant in a particular unit. Specifically, there has been situation after situation where work was done, work was paid for and notice was given to the tenants, and either they agreed, in many cases or they did not respond to the notice, which under the current Bill 51, as members know, would be interpreted as consent to that particular application. In many situations where that occurred, that has been considered void as a result of this retroactive nature of this legislation.

1710

Very briefly, I would like to refer the parliamentary assistant to a letter which was given to us and which was filed with our committee on 21 January 1991 from Stephen and Associates, who are rent review consultants. This was with respect to a property in Brampton, specifically

1-46 Eastern Avenue in Brampton. It is a very short letter and it is signed by Abraham M. Stephen, who is the authority for the landlords. He says:

"We wish to bring to your attention that the landlords of the aforementioned complex had filed an application for a conditional order under section 89 of the RRR Act 1986 on 6 April 1990 and an order was issued on 1 June 1990." Mr Stephen attaches a copy of the order from the Minister of Housing for our review. "Based on this order, the landlords completed the works as proposed in the above application. An application for the whole building review under section 74 of the act was filed on 17 August 1990 with a first effective date of 1 February 1991.

"Now that bill 4 has been introduced in the Legislature on 28 November 1990 which proposes to freeze the rent increases above the guideline effective 1 October 1990 the landlords stand to lose a substantial amount of money spent into this complex in the form of much needed capital expenditures. Sufficient notices were given to each and every tenant about these works and nobody made any complaints about it."

He concludes by stating: "It should be noted that the landlords involved here are two retired people and they can ill afford to lose the increase which they are otherwise entitled to. They relied on the law which existed when the works were done and followed all the legal procedures required by the law. It will be highly unfair and will be disastrous if they are denied the increase.

"We have been asked to raise their concerns at the hearing, and as we are told that you cannot accommodate more people, we wish to have the above matters considered before finalizing the bill."

This is the type of correspondence which members of the committee received. These people wanted to address our committee but the government refused them the right to appear. It refused the owners of this building the right to appear and they had to resort to this letter being written by someone for them.

My question specifically to the parliamentary assistant has to deal with whether she feels it is fair when either agreements are made between a landlord and tenant as proposed by the amendment, or whether in specific cases such as this notice is given and it is obvious there is no concern by the tenants because they have not responded to it, the work is done and then the government comes along and considers the work and the money spent by the landlord as being void: My question to her, is that fair?

**Ms Harrington:** I would like to respond to a couple of the concerns that have been raised by the member. I would like to touch first on the question that several people have also brought up following his initiation of the discussion. That was with regard to the legal advice.

I would like to tell members that throughout this process we have gone through together in the committee hearings, my purpose in being there was to learn as much as possible from all the people who came to that committee. That is why we had Dr Thom there. That is why I went to hear the expert from Sweden and another expert from New York City. I went there to find out as much as I possibly could about all aspects of this situation. With regard to



wanting legal advice, I would, like everyone in this House, like to have as much information or legal advice, whatever is requested, as possible.

We are trying to have as open a government as possible, and maybe that is the trap that I fell into. But the other parties which possibly have been in government before maybe realize that in some instances these legal opinions on certain laws or bills that are coming before the House do have, in certain cases, to be with the government; that is, of course, the advice I received, as previous governments have, I am sure, received similar types of advice.

I would also like to go on and let members know that I believe that there is one thing that has been said this afternoon that is right, that the opposition is right in saying that we are responsible to all the people of Ontario, all the people that members have been talking about, all the people that we have heard from—and those are the people who will judge us.

The opposition mentioned right at the very beginning the words “fair” and “balanced.” Let’s think about that just for a moment. Looking back on the past government of five years, looking back on the previous government before that of 42 years, “fair” and “balanced”? Did they represent, and were they answerable to, all the people of Ontario? I would like to propose to members and to the people across Ontario that this government is, even more than the two previous governments, open and responsible to the people, and the people will judge us.

Think about the people across this province who have not, until this week, by the minister who brought forward statements today about the anti-racism committee and the changes that are going to be made in our government—think about that for a little while. Has that ever happened in the last 50 years in Ontario? Think about the many other initiatives that we have brought forward; for instance, the bill of SCOE, where in the past 75% of the orders for spouses to support their offspring have not been enforced. Do we call that empowering the people of Ontario? Do we call that being responsible to the people of Ontario?

I have heard from the opposition that we are not fair, that we are not responsible to all of the people of Ontario. I am saying to members—and I would like to just very concisely put it—that we are responsible to all of the people of Ontario, and they are going to judge us on that.

Now I would like to just briefly get back to Bill 4.

**Mr B. Murdoch:** She has gone back to Bill 4.

**Ms Harrington:** But while I am doing this I hope members will keep in mind and turn over as the weeks go by how this government is going to take this province of Ontario, which was on a course this way, and over the next four years take this province of Ontario in a different direction.

I would like members to think, while we are here this afternoon, that we are bringing all kinds of people who have not been empowered in this province into this government, and in four years they will answer that call as to whether or not they are reflected in this government. Those are the landlords, too.

We were elected and immediately people have said in this House, even this afternoon—let me see if I have that piece of paper with me; no, I do not. It was from the front benches of the opposition, and you said, “You have the power; use it.” It was said over and over again, and then you said what we have to do is act. That is what we have been told over and over again. Okay, let’s—

**The First Deputy Chair:** Parliamentary assistant, may I just remind you that your comments should be directed through the Chair.

1720

**Ms Harrington:** Thank you. We needed to act, and I am glad all of the House realizes that, that a new government, as was said in question period today, had to act. Acting, as the members said very clearly, was bringing in Bill 4 very quickly. And what Bill 4 was to do was to stop all of the rent increases. Mind you, we could not do that. We have only stopped less than half because we could not go back any further. This legislation we brought into the House in November. We wanted it through the House by Christmas so that we could go ahead with the consultation process for the long-term legislation, so that this could be as broad a consultation as possible across this province, with landlords, with tenants, so we could bring their concerns together and somehow, as quickly as possible—because we know business needs guidelines. It needs to know what the structures are.

**Mr Stockwell:** Yeah, retroactive guidelines.

**Ms Harrington:** I am talking about the long-term legislation. What I am saying is that we wanted this to come as quickly as possible and be in place by the end of this year, and because the process by the opposition in December was referred to the committee, that is why we went through the six weeks of committee hearings and that is why in the last two weeks we have been trying to pass this through this House. We are trying, as I might remind members, to get the green paper, the long-term discussion, focused, this week in fact. The last day for submissions was 5 April. This week we are having our staff look at it; next week and then a week after, when we are focusing in on decisions that have to be made to bring that legislation before the end of June.

The member has been in this House longer than I have, and he realizes that this is a tight time schedule. We want to do it right and we are asking for the member’s help. But I want to tell him that Bill 4 is only interim legislation which we thought would be in place so that we could go ahead.

**Mr Tilson:** I would like to take the member for Niagara Falls back to the question I asked. She probably forgot it. The question I asked had to do with where tenants and landlords came to an agreement with respect to work that was being done, or notice was given to tenants and they did not make any complaints about the work. The work was done, the work has been paid for, it has been approved, an order is granted and then of course the retroactive legislation voids that order, even though it has been agreed upon by tenants, or where notice has been given and they have not made any complaints on it. I would like



to take the member back to my question, and my question is: Is that fair?

**Ms Harrington:** I thought I gave the member the larger picture in which to place this particular situation. There are all kinds of situations which we have listened to of tenants facing difficulties, of landlords facing difficulties. This is just one example, and what I have tried to explain to the member is that what this bill does is not try to deal with any particular situation and say whether it is fair or unfair. The only thing this bill does is try to stop the rent increases until we can get a system in place that will work.

**Mr Tilson:** I cannot make the question any clearer, and I will shorten it to about four words. Is it—

**Mr Runciman:** You will have to get a blackboard in and draw a picture.

**Mr Tilson:** I will draw a picture, if necessary. I will write it out for her. Is what she has done fair?

**Mr Cousens:** The honourable member for Dufferin-Peel continues to ask one simple question: Is the legislation fair? Then we are dealt the kind of abuse the parliamentary assistant has thrown out with her non-answer, and that is the problem we have had and suffered ever since this legislation was tabled by the Minister of Housing.

The first thing I would like to say is that the member for Dufferin-Peel and the member for York Mills really have to be complimented for putting up with the kind of answers they have had to put up with, or the non-answers. On behalf of our caucus, I want to express deep and genuine appreciation for the kind of dedication that takes. I have to say that this government will stand judged as guilty of contributing to the downfall of the standard of living for people in the province of Ontario over the short term and the long term. It is, by virtue of this legislation, going to make far more of a slum of buildings than we have ever had before; a four-letter word, slum, and it is creating it by establishing a whole new set of rules for landlords.

I had lunch today with a landlord who is proud of his buildings, proud of his tenants, of building something. If he has a leak in the roof now, where is he going to get the money for that? It could cost him \$200,000 to make that repair and he cannot claim it. He cannot recover it. He might be able to in his taxes, but he is not making any money to have to pay taxes on it. The government is pushing them into the ground.

I cannot believe that this government has not listened. It has had presentations. It has had them from our party, it has had them from the public, it has had them outside, it has had them from everybody. It is not fair, it is not right, yet it continues to parrot some kind of words that are given to it by someone—we do not know whom—because if it is going to be responsible to the tenants and the people of Ontario over the short and the long term, then it is going to consider some of these reasonable amendments.

Unfortunately, I take some exception to the kind of amendment that even the Liberals are willing to come in with. They are still in favour of some kind of retroactivity.

Retroactivity in anything you do fails to understand the planning processes. If you are running a business at any time, you want to be able to have a sense of what the future is going to consist of, not just to have someone say, "Effective back then is when this is going to come in."

When the government was in opposition it opposed retroactivity. When it came into government, it started living by it. How inconsistent; how inconsiderate; how wrong. I just cannot believe that it is not in a position to still accept some of the reasoned amendments that are coming forward. I realize that, through the heat of the moment in committee, there was some acceptance of this amendment. I know for a fact there is going to be an amendment coming forward that will remove this whole idea of having retroactivity. Retroactivity is wrong. Part of the reason it is wrong is what it does to people for their long-term planning. They have no way of knowing what the government is going to do.

One of the reasons that businesses are pulling out of the province of Ontario and moving elsewhere and one of the reasons businesses are not moving into the province of Ontario is their lack of trust in this government. If they had some way of knowing that the government is going to have a long-term strategy, then they would feel more comfortable. They are being scared away from the approach that the government is taking to everything. Why should the government not set an example here, an example that recognizes the need of business, of people, of everybody involved in this equation, to have some sense of long-term stability?

The whole bill, from its origins, makes no sense. The whole process has been wrong and yet the government comes along and says, "Oh, well, the people in the opposition are stalling." I would like to know where it is the government comes from when it makes the ideas that it has. I do not think the bureaucracy or the civil servants wrote these words. They did it under orders by your minister. I do not think the government has really listened to the consultations that have come through, certainly the letters that I have in my office from constituents and people across Ontario saying, "Bill 4, as it is, is bad legislation."

Madam Chair, is there a way in this House that we can begin to have straight answers and a response by this government so that it can respond to the kind of questions the member for Dufferin-Peel has placed before this House, so that the government will listen and react and respond to reasoned amendments? It is a rhetorical question, because indeed in your position you have no control over your former friends in the New Democratic Party, because you are now totally neutral and really responsible for the Chair.

But these people—I do not know who they are responding to. This government is not responding to the long-term interests of either landlords or tenants with this legislation. They fail all parties in it. If they were to really be honest with themselves, they would recognize that the Landlord and Tenant Act is tough legislation to deal with, but they would be in a position to come back and try to work through the obstacles they are creating with this.



1730

To have retroactive legislation that prevents landlords from being able to recover the costs they spend on capital improvements; to have retroactive legislation that is now going to prevent them from collecting costs of a simple roof leak because it is going to be a capital outlay over this next period of time; to prevent that same landlord who might be relying on the income from his apartment building for his income as a retired person—they cannot go to the bank for money. If they go to the bank for money right now, because of this government it will say: "No way. We're not going to give you any money, because you're not going to be able to get it back."

They cannot get the money back because of this government's legislation. They make it a poor business deal for someone to own a piece of property, because the moment they have to go and do something to a building to maintain it to a simple, normal standard, which they want to do, they will not even be able to get the funds from the bank to be able to afford to do it. If they do not have their own reserves, they might sell off their RRSPs, their retirement fund, or find some other money, they might sell another piece of property at a time when the property values are probably not worth what they were when they bought them. This government is forcing them into a deeper and deeper hole.

Where is this government coming from? Why do they not listen to what is being said by the public and the people at large? What they are trying to do is wrong. The time to do it is now in this House before this committee. Surely, if the parliamentary assistant is here instead of the Minister of Housing, she has power and can use it wisely and come forward and admit to the fact that they have made a mistake and can still correct it.

There is hope yet. Maybe there should be more people like the member for Welland-Thorold who will come out and stand up and say what they think. Who else among that motley group of people from the New Democratic Party is going to stand up and begin to speak for himself, rather than just be like a pack of people following the Minister of Housing over a cliff? We do not want that for them. We want to push them over the cliff, but they are just jumping. They are taking all the fun out of it.

Instead of being lemmings, come forward and allow it to be something on which we could have some good debate. This is not even debatable. It is so inconsistent with an approach to good business. It just has no sense to it. I do not see how they have any logic behind their argument for it.

Why can they not answer the member for Dufferin-Peel? "Is it fair?" They have not answered him. He has tried—how many times?—to get an answer to that. At least a dozen times. The member for York Mills has tried many times, and they do not answer him.

I see the honourable parliamentary assistant about to stand up. Maybe she has had a change of heart.

**Ms Harrington:** The member is asking me why this cannot be a debate, and there is an answer. Maybe I did not make it clear when I was trying to answer before.

The questions the members are asking me about what exact situation is fair and what is not are all things I can discuss through the whole green paper. I am not going to go through all the questions and options in the green paper, but on all of those situations, and what they are asking about what in the long term is going to work and what is fair for business people, I understand what they are saying. We have to find something that is fair for that tenant and landlord the member for Dufferin-Peel was talking about, and about business across Ontario, we have to find something that is fair for those people. There is no sense in debating it today; that is not part of Bill 4. That is going at length into the green paper.

Through all the hearings we learned about the condition of the buildings, the need for capital expenditures of between \$4 billion and \$8 billion over the next decade, and all these concerns about the concrete work that is needed and all the rest of it, and we now understand that. That was very helpful. But this bill does not address those particular things.

The green paper asks how we pay for capital expenditures, and we have to get into that as soon as possible. We will answer those questions: What is fair for each tenant and landlord? How should the system work? How should the tenant be able to appeal? All of those questions are what we are dealing with in the green paper, and that is when we can debate all that.

**Mr Stockwell:** The question that was put was clear. I think the parliamentary assistant has done her best to answer a lot of questions that were not the question put to her. The question, in very succinct terms, was, does she believe that retroactive legislation of any kind is equitable and fair legislation? It is a very clear question. Her response has covered a number of issues, but she never comes back to the retroactive issue.

Lots of people work with five- and seven-year plans. They own buildings. They plan, they go forward and they do things, depending on how that plan is unfolding. The last thing they expect from their government is to have it cut them off at the knees. The parliamentary assistant keeps answering questions, but never the question put to her. The question put to her is how she can believe—I do not think she does. I cannot believe that the backbenchers in here believe that retroactive legislation is equitable and fair legislation.

Someone went out with government approval, with law that was sanctioned by the government—written, passed—and made an investment; probably a bad investment in some cases, but none the less made an investment. Now he is faced, in some cases, in letters before us, with bankruptcy because this government has instituted whether it is interim, whether it is a green paper, whether it is a white paper, whether it is a paisley paper—it matters not to him, because the government has instituted interim legislation that creates retroactivity, thereby putting him out of business, having people declare bankruptcy. In my opinion, there is no legislation this government can pass that is retroactive that would be considered fair by the electorate. If they took a poll and asked the people, "Do you consider



etroactive legislation fair?" the vast majority, I am convinced, would say, "No, retroactive legislation is not fair."

Members cannot possibly tell me that out of 72, 73, 74—I am not sure where the member for Oakwood is—73 members in their party, the vast majority of representatives has come forward and said, "Yes, retroactive legislation is fair." Do members know why that is not fair? Do they know why they cannot say that? There, but for the grace of God, go I, because who is next? When are they going to introduce the next piece of legislation that is retroactive? Who are they going to skewer next? All the people in this province now walk around with the feeling that the governments are prepared to pass retroactive legislation on anybody at any time, depending on whatever socialist dogma pops up from their policy sessions. That is not equitable.

If any members believe they have any clout, they have to go and tell the Minister of Housing. The members from Metro Toronto should know this best of all. There are all kinds of landlords out there who own duplexes and triplexes. They are small people who have invested a lot of sweat and money into this, and they are being ripped off with this retroactive legislation, all kinds of them. The Metro representatives should know it better than anyone, and the Metro representatives are letting those people down specifically, and in Hamilton, in Ottawa and the other urban centres.

The question to the parliamentary assistant is very simple, and I do not want an answer on any other issue. I do not want her to skirt it. I want her to say yes or no. Does she believe retroactive legislation that they have introduced is fair? Does she personally believe it to be fair? I asked a very simple question. Does she think it is fair, personally?

**Some hon members:** There is no requirement to answer.

**Mr Stockwell:** Well, there is a requirement. She has a moral obligation to answer this question.

1740

**Mr Brown:** I am also concerned with not receiving some answers here. I had the opportunity to be out with the committee for three weeks of public hearings. I had the opportunity to hear what people had to say.

Interjections.

**The First Deputy Chair:** Order. I am having difficulty listening and hearing the member for Algoma-Manitoulin. I think we ought to show some respect when people stand in the House and wish to partake in debate.

**Mr Brown:** Thank you, Madam Chair. As I was saying, the committee was out for about three weeks listening to what the public had to say about Bill 4 and in particular about the retroactivity of this section and others, and I heard a lot of things said about retroactivity, none of which were particularly flattering, to say the least. It is reprehensible for a government to be proceeding with this kind of retroactivity.

I think, as a member who represents northern Ontario and stood in this Legislature last Thursday morning supporting a resolution which required some retroactivity, it

was supported by about half the NDP caucus. It had to do with northern travel grants.

That is how retroactivity works. A government announces a program which is retroactive to the date it announces the program. That is what the member for Kenora was saying to us. The government had announced the program; it will be retroactive to that date. It involved public funds, not private. It involved spending the public's money to do the government's business. It was fair enough. That is how retroactivity works. It does not mean, as in this bill, that you go back two or three years.

The private sector has made decisions out there. The private sector has said—or it has not said, it has done it. They have spent their money under the rules of the game as they knew them. They did everything that was meant to be. There is nothing, nothing whatever, that they did wrong. They were providing housing for the people of Ontario and they provided it under the rules that existed at that time.

Then a government comes in and says: "Well, we're better people. We know what the common good is. Therefore, you can go bankrupt. That's your privilege." And it is not. It is not the marketplace that is causing this. The marketplace is strong. You can rent the apartments at that price and to those tenants, because in most cases if not all, but in at least most cases, the tenants agreed to the repairs, they agreed that the rents would increase. They agreed. Yet those landlords—and we think there are about 3,000; there may be more—are the small landlords. They are not the big landlords, they are the small ones.

They are the fellows who came, three of them, into the committee room downstairs. One said to us, "I am a dry cleaner," and another one said, "I work for a welder," and frankly I forget what the third one did, but he worked hard for a living. He was not driving around in a limousine. He did not live in a penthouse down by the lake. He was an ordinary—and I hate that word, because nobody in this province is ordinary—average-income, hard-working gentleman, and he was going to lose his building. He was going to lose his building. It was his life savings.

He had come to Canada 20 years ago. He had come here to build a life. He contributed to this province, he paid his bills, he provided housing for the people of Ontario, and now he is going to lose his life savings. He has no pension plan. There is none. He does not have one. To him, his investment, his whole life savings were in this particular building, and he broke down and he wept. A 55-year-old man broke down and wept. We had to stop the proceedings three times so we could hear his story.

This is the reality of this bill. It is not fair. It does not do what the government wants it to do. We have heard the question asked over and over again: What justification is there for doing this? We hear silly notions—I should not say "silly;" that gets them excited over there. We hear notions of the greater good. What is the greater good? Is Canada, is Ontario a province that steals from people? This is what this legislation does.

I was interested yesterday when there were some comments, and it is really the reason I am speaking today, because the member for Niagara Falls in response made



some comments which I found to be a little bit different. She said: "From my experience on a city council, which is one of the aspects of politics, I found that certain segments of our population are listened to by politicians and have very easy access to politicians and decision-makers." She said: "From my experience I have found, for instance, industry leaders, developers, tourist operators, downtown merchants, all know exactly whom to call and how to get the city council agenda and probably even how to contact Queen's Park."

The gist of what she is saying here is that nobody else is listened to. But I ask members, are the gentleman I am talking about and his 2,999 other friends who are also losing their buildings and are going to go bankrupt the big developers? Are they the downtown merchants? Are they the powerful? Whom is the government listening to?

I do not accept for a minute that in the history of this province it is the only government that can represent the views of this other segment of the population, whoever they might be, because I have not been able to figure that one out. I have not been able to figure out whom the government members represent and why they come before us and tell us that they are going to put 3,000 individuals into bankruptcy, why they think that it is important to lay off 2,000 or 3,000 workers in this province who would have work anyway, why they think that is important. I do not know why that is that important.

I did some work on the numbers. I think members might enjoy this. I looked at it, and I think when you take this bill into account we are probably talking about 100,000 units out of, what, 1.2 million in the province. This bill in its retroactivity affects about 100,000 units. If you accept the fact that 25% or 30% of people cannot afford rent increases, and that is the common knowledge, that they cannot afford any, we are really talking about 30,000 people who might be "economically evicted." But then, however, we have a minister who comes before the committee, dealing with a different amendment, and he says: "Well, gee, I don't know what's acceptable, but we're going to let a 15% increase go. That's what we are going to do. It's hard for me. I don't want to do it, but we're going to let a 15% increase go." So I guess that is the benchmark of affordability, 15%. Then we take the 15% of the 30%. We are down talking about 4,000 units.

We know that the number one cause of economic eviction in this province—and nobody can dispute it—is becoming unemployed; losing your income. That is why you leave an apartment. That is why, if you are a home owner, you cannot pay your mortgage. It is because you have lost your income. This bill directly affects at least that many people, at least the 4,000 or 5,000 whom this bill is meant to save under its retroactivity provisions.

I find that to be passing strange. Why would they do this? It is the big question, I think, that groups all over the province are asking. Why would they have this retroactivity? What purpose does it serve? What is the reason for expropriating? I say that advisedly, because it is not really the truth. I said it downstairs at committee and a few members opposite got on my case and said, "That's a bad word to use." In thinking about it I decided that "expropriate"

was a bad word to use, because expropriation meant you would be compensated. There is no compensation. You just lose your life savings. Is that not wonderful? So I did choose the wrong word.

I do not understand. We do not understand. We know that capital expenditures were passed through under Bill 51. We know that in the green paper the government is talking about passing through those capital expenditures again, that when this glorious new regime comes into play some time in the future capital expenses likely can be passed through, we are told. So we have this period of Bill 4 where you cannot do that. You cannot do that with Bill 4.

1750

I was at a meeting in Sudbury, one of these famous consultative meetings with the Minister of Housing where I could not speak.

**Mr Callahan:** You got in?

**Mr Brown:** I did get in, yes, thank you.

**Mr Callahan:** That's amazing.

**Mr Brown:** But I could not speak. I was there. He said to some landlords who were making this point "We're going to allow, maybe, we're thinking about, could be that we're going to allow capital pass-through for the Bill 4 period." In other words, two years from now some tenant somewhere is going to pay the rent increase for what happened now. Talk about retroactivity, only this time the opposite way: The tenant now is caught in the retroactivity.

Even better, some of them said, "Before 1 October"—that wonderful date—"we might even allow those capital expenditures to be passed through." So now conceivably to help the landlord, we are going to pass through capital expenditures that could be as many as four or five years away. I want to be living in that unit when that happens. I really do. I want to see what kind of reaction I might have if I get a bill or one of those nice pieces of paper you get from the Ministry of Housing—and they will all be changed, no doubt, but we will get it through and it will say you have a rent increase for your apartment of 40% for capital expenses that were passed through three years ago or should have been passed through.

I do not understand and I guess I have to echo the comments of my friends here. We want to know why this is possible, why the government wants to do it. Let the parliamentary assistant tell me about the retroactivity. Let her tell me precisely why she wants to make this retroactive. Why does she want to do that? Is it fair? That question has been asked a million times. But even if it is not fair, what is the greater good? What are we gaining? What is happening that is really good about this? Why does the government want to do that?

Is it because it thinks landlords wear black hats, that they are the bad guys? Is it because they are "capitalists"? Is that why? Is that what is really upsetting the government, and that the tenants are the good guys? Is that it, that they wear the white hats? Even the minister has told us that this is not a black and white world. Even the Minister of Housing recognized there is a little grey out there and all tenants are not good and all landlords are not bad.



Why in government policy would the government want to penalize a lot of good small landlords? The vast majority of them will be good small landlords. They work hard and make very little return on their investment. The government has not shown for one minute that this is an attractive industry to invest in. It has not shown us the numbers. We asked for them. We asked what the rate of return for landlords was. The minister could not tell us even though, fortunately, we got the information somewhere else.

The government does not seem to understand. The landlords it is talking about, 3,000 of them, are either going to go bankrupt or, at the very least, dig into their own personal incomes—and these are not people making \$50,000 or \$60,000; these are people making \$20,000 or \$25,000—to subsidize their tenants. They are asking, "Why would you do this?" We do not understand over here on this side and we want to know the answer. We ask over and over again, why do they want to do this retroactivity stuff? How does that make sense? Show us any precedent anywhere where a government has ever picked on a particular group of individuals and said to them: "You're going to lose your life savings. It's fun to lose your life savings, because it is for the greater good. You should give your personal self up to lose your life savings, because it's for the greater good of all society."

I am going to pause because we are getting towards the end of the day and I would like an answer from the parliamentary assistant if I could have one, and hopefully she will because I would have continued for another three or four minutes if she will not.

**Ms Harrington:** That was very kind of the member to leave me a few minutes. He has said, and I think I may have heard someone else say, that the people of Ontario know that retroactivity is bad or whatever other word he would like to call it. I would like to submit to the member

that the people of Ontario know more than that. The people of Ontario know a few other truths in this world, and one of them I am going to explain to the member.

One of his fellow members, at the very beginning of the debate today, said that tenants want balance, that they are fair people, that they do not mind paying if they get a good apartment unit, and that people are reasonable. I think we all in Ontario go with that assumption, that people down deep are reasonable—tenants and landlords. I really hope so. But let me get at the point here, that tenants want balance. That is what we want, but before we can get to balance on the scales we have to have protection, because there is no way, the way things have been in the past, that they can go for balance. Some people have more say, power, whatever—

**Mr Tilson:** More rights than others.

**Ms Harrington:** The member understands deep down in his heart what we are talking about here. Some people have more control than others, and what we are saying is that we want to have balance between landlords and tenants and that there has never been the opportunity for tenants to have that kind of balance where they can go with any sense of security to their landlord and say, "Yes, I am a person, I count, I have rights and I want to be dealt a fair deal in Ontario."

I am not saying that all landlords are bad or any such thing, but I am saying that we are trying to establish that balance. To get there is the first step. We have to work through a long, difficult process of what is fair in each certain circumstance and I know that is going to be difficult. The very basis of what we are talking about today is how to get to that position.

On motion by Ms Harrington, the committee of the whole reported progress.

The House adjourned at 1800.



## ALPHABETICAL LIST OF MEMBERS

(130 seats)

First Session, 35th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
<b>Akande, Hon Zanana L.</b>	St Andrew-St Patrick	NDP	Minister of Community and Social Services
<b>Allen, Hon Richard</b>	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, parliamentary assistant to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
<b>Boyd, Hon Marion</b>	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
<b>Buchanan, Hon Elmer</b>	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
<b>Carter, Hon Jenny</b>	Peterborough	NDP	Minister of Energy
<b>Charlton, Hon Brian A.</b>	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economic Development
<b>Churley, Hon Marilyn</b>	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
<b>Cooke, Hon David S.</b>	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
<b>Coppen, Hon Shirley</b>	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
<b>Farnan, Hon Mike</b>	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
<b>Gigantes, Hon Evelyn</b>	Ottawa Centre	NDP	Minister of Health
Grandmaître, Bernard	Ottawa East	Lib	
<b>Grier, Hon Ruth A.</b>	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Ampton, Hon Howard</b>	Rainy River	NDP	Attorney General
ansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
arnick, Charles	Willowdale	PC	
arrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
arris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
aslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
ayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
enderson, D. James	Etobicoke-Humber	Lib	
ope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
uget, Bob	Sarnia	NDP	Chair, standing committee on resources development
			Parliamentary assistant to the Minister of Energy
ackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
amison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
ohnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
ordan, Leo	Lanark-Renfrew	PC	
lopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
ormos, Peter	Welland-Thorold	NDP	
zwinter, Monte	Wilson Heights	Lib	
<b>ankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
essard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Martel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
McClash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>North, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
<b>Philip, Hon Ed</b>	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
<b>Pilkey, Hon Allan</b>	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
<b>Pouliot, Hon Gilles</b>	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
<b>Rae, Hon Bob</b>	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
<b>Swarbrick, Hon Anne</b>	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
<b>Wark-Martyn, Hon Shelley</b>	Port Arthur	NDP	Minister of Revenue
<b>Warner, Hon David</b>	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
<b>Wildman, Hon Bud</b>	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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## Legislative Assembly of Ontario

First Session, 35th Parliament

## Official Report of Debates (Hansard)

Wednesday 10 April 1991

## Assemblée législative de l'Ontario

Première session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Le mercredi 10 avril 1991

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers





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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 10 April 1991

The House met at 1332.

Prayers.

## MEMBERS' STATEMENTS

### CROATIAN INDEPENDENCE DAY

**Mr Sola:** Once more 10 April is upon us, and this year Canadians of Croatian descent are celebrating the 50th anniversary of Croatian Independence Day. However, in light of the changes that have taken place since last year's internationally monitored free democratic elections, it can be given a much more objective historical analysis than before. Perhaps now we can get a realistic appraisal of the political, social and world conditions under which Croatia achieved its independence. This statehood was won in a bloodless coup, a national plebiscite which, to paraphrase the words of Cardinal Aloysius Stepinac: "It would be unfathomable for Croatian Canadians not to feel the essence of their people."

The tragedy of Croatian Independence Day lies in the fact that it did not survive, that all the Croatian political forces did not put themselves in defence of this indelible historical symbol, regardless of the fate of the governing regime. Even that wartime government must be viewed in more lenient terms given the terrorist provocation, manipulation and criminal intent of those elements in Croatia today who, as in 1941, will not and cannot accept the political will of the majority.

The fear of the Croatian community in Canada is that violence may be transferred from Yugoslavia to Canada, as evidenced by the vandalism and desecration of Our Lady Queen of Croatia Church in Toronto two weeks ago.

It is the hope of Canadian Croatians that all groups in Croatia and Yugoslavia have learned the lesson of wartime excesses and will learn to live with the freedoms and obligations of democracy.

### COMMERCIAL CONCENTRATION TAX

**Mr Turnbull:** The previous Liberal government gave a last gift to Metro Toronto as a memento of its term in office: the commercial concentration tax, a tax levied on buildings over 200,000 square feet and on all parking lots.

We are aware of the public's response to the Liberals. They were turfed out of office. This nasty little gimmick, this final discriminating tax grab by the Liberals, is an invasion of the historic right of municipalities to tax property, the major source of revenue for cities.

What has been the effect of this money grab? The Toronto Transit Commission parking lots, full to capacity in 1989, lost 22% in business in the six weeks after the commercial concentration tax was imposed on 1 January. It has been estimated that the commercial concentration tax will take \$2.8 million from the TTC coffers and another \$100 million a year from Metro businesses. This odious tax has harmed the business community and the environment by reducing TTC ridership. The GTA contributes far more to

the province than the province puts back. It is vital to keep a healthy and financially sound Metro Toronto for the well-being of the entire province. I urge this government to remove this negative and destructive tax in the next budget.

### MUNICIPAL EMPLOYEES

**Mrs MacKinnon:** Recently I attended the annual meeting of the Lambton County Municipal Association. It was a great pleasure at that time for me to present scrolls to six gentlemen who were retiring from their various positions of employment in municipalities within Lambton county. These six employees gave a total of 116 years of dedicated service to municipalities within Lambton county. Because of the pride these employees had in their positions, they left Lambton county a better place in which to live and to enjoy.

These men are: Ken Stutt, 26 years with Lambton county roads department; Clive Bennett, 21 years with the city of Sarnia works department; Gabriel Krammer, 23 years with the Petrolia works department; Don Gibb, 16 years, Moore township works department; Fred Baxter, 15 years, Bosanquet township works department; and Glen Syer, 15 years as road superintendent in Plympton township.

Congratulations to all of them on a job well done, and all the best in their retirement, as they have certainly earned it.

### AFFORDABLE HOUSING

**Ms Poole:** At a news conference this morning the Co-operative Housing Association released a report confirming that one out of every three tenants, a staggering 477,000 of Ontario households, spends at least 30% of his or her earnings on rent, and one out of five pays more than 40%.

The need for affordable housing has never been greater, yet the Minister of Housing contradicts himself, day after day, as to whether the NDP will keep its promise on affordable housing. In the election they promised to build 20,000 non-profit units by 1992, but just last month in Belleville the minister was quoted as saying: "We won't be able to do 20,000 a year under the current fiscal situation. We simply can't afford it."

Last week when I asked the minister about the statement he made in Belleville, he would not admit that he said it, but this morning a representative from the Co-operative Housing Association confirmed that this is exactly what the minister said. Why the smoke and mirrors? The minister had no difficulty in making a simple promise. Why is he having such difficulty in giving us a simple answer? Will he keep his promise? Can he keep his promise? When will these units be built? The members of this House and the people of Ontario deserve an answer.



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## ELECTRICAL POWER

**Mr Jordan:** "This province is finished industrially," said the chairman of the Association of Major Power Consumers in Ontario. In February, Ontario Hydro chairman Bob Franklin asked, "To what degree can we rely on conservation and non-utility generation and for how long can we postpone the date when we will need another generating station?"

During Energy estimates the government said the NDP policy would require monthly monitoring between the minister and Ontario Hydro. The minister should tell this Legislature, as a result of this monitoring process, how many megawatts have been made available to this province. The minister has told the media that she would worry if the new head of Ontario Hydro favoured building more nuclear plants.

How long will it be before this minister has a policy on the sale of tritium? At \$29,000 a gram, it is estimated Hydro could add \$25 million to its coffers over the next five years.

This government needs to give the people and industries of this province some confidence that their electrical future is bright. The minister should start by explaining this government's policy to the Association of Major Power Consumers in Ontario in her speech tomorrow morning.

## MEMBER FOR YORK EAST

**Mr Martin:** I rise today to recognize my colleague and friend the member for York East. He was recognized this past weekend by his peers at Gallaudet University for the significant contribution he has made to the whole of the deaf community in North America and indeed the world. Gary was presented with the Outstanding Young Alumnus Award at Gallaudet University's 127th Charter Day and 22nd annual awards program of the university's alumni association on Saturday 6 April 1991.

The member's election to the Legislature in September 1990 was a very significant moment in Ontario parliamentary history. In itself, it says a lot about the people of Ontario, particularly the people in this riding, and the aspirations of the deaf community to be recognized and participate fully.

Gary has impressed and continues to impress all of us, his friends and colleagues. I was particularly moved by the activity generated by Gary as he served on the select committee on Ontario in Confederation and the consequent participation by the deaf community as we crossed the province. If that initial impact and participation is any indication of what is coming, then Gary surely will make and leave his mark.

Communication is one of the most fundamental needs and rights a human being has. Gary has moved that agenda forward for not only the deaf but other cultures, and we, along with Gallaudet University, today salute him.

## TIMBER MANAGEMENT

**Mr Mclash:** The class environmental assessment on timber management is convening its 298th day. The first

party in opposition to the Ontario Ministry of Natural Resources' position, Forest for Tomorrow, has completed its case, and the intervention of the Northwestern Ontario Associated Chambers of Commerce begins tomorrow. They will be represented by Doug Scott, an NOACC member; Joy Neil, president of NOACC; and the reeves of Ear Falls and Golden, Mr Leschuk and Mr Hermiston.

The representative of the NOACC, presenting its case, has indicated that the principal focus of its brief is that natural resource policies should be regionally sensitive, that southern Ontario politicians should have less influence on northern resource policies, and that the economic and social impact assessment should be considered to be as important as environmental impacts.

## HIGHWAY CONSTRUCTION

**Mr Arnott:** Today I had the opportunity of meeting Harold Gilbert, chairman of the Better Roads Coalition and incidentally one of Canada's foremost authorities on transportation issues, and Art Frewin, chairman of the Citizens' Expressway Committee, to once again discuss the government's inexplicable and astonishing decision to withdraw funding from Hamilton's Red Hill Creek Expressway.

The government's explanation of its decision not to provide the committed funding for this project is totally irrational. The ministry's own data show the proposed route is the most environmentally benign. On 19 March the Premier assured this assembly that he was "prepared to put all the money that was supposed to go to the Red Hill Creek Expressway, all that money can go to other projects."

The Premier and the Minister of Transportation know full well that it will take years before any alternative projects are to be developed. They also know that there is no other feasible alternative north-south route for the expressway and they should be both ashamed of creating misleading perceptions that, by magic, alternatives can somehow be easily achieved.

With this decision, the government has given the regional municipality of Hamilton-Wentworth an economic kick in the teeth. I therefore call upon the Premier to admit his cabinet has made a mistake in its decision to withdraw funding for this project and urge him to give immediate assurance that the project will proceed as planned without further delay.

## ONTARIO COALITION AGAINST POVERTY

**Mr Owens:** Today the Ontario Coalition Against Poverty came to the steps of Queen's Park to meet with MPPs from all parties to remind everyone of the important issues of hunger, homelessness and poverty. This coalition represents antipoverty groups across the province which come together each year to lobby and rally at Queen's Park.

John Clarke, a constituent of mine, is the primary organizer for this coalition. I have the utmost respect for John, who has demonstrated selfless dedication to the issues of poverty. He has a great capacity for work in an area that is notorious for burning out those who care.



As a government member, I see the great need to have groups like the Ontario Coalition Against Poverty press the government to move forward on issues of hunger, homelessness and poverty. Indeed, during these tough economic times the lobbying of the Ontario Coalition Against Poverty is all the more necessary.

I, like my fellow members, am committed to the coalition's goals and principles, and while we may have been slowed by these terrible economic times that we face and the complete lack of support by the federal government, we will continue to strive to implement our goals in a timely fashion.

**Mr Harnick:** Unanimous consent is being sought to make a statement about Holocaust Day.

Agreed to.

#### HOLOCAUST DAY

**Mr Harnick:** According to the Jewish calendar, this evening at sundown Jews around the world will light candles which will burn for 24 hours to honour the memory of the victims of the Holocaust. Together with memorial services and silent tribute, Holocaust Day will be marked by day-long recitations of the names of the victims of the Holocaust. Their names, birthdate, birthplace and site where they died will be recited aloud in synagogues, schools and public places throughout Israel and in Jewish communities around the world.

Under the slogan, "Unto every person there is a name," these recitations have become a focal point of Holocaust Day in commemoration of the six million Jewish men, women and children who died in Europe by the hand of Nazi tyranny and atrocity. From the ashes of the Holocaust the state of Israel was born in 1948. Since the Second World War, Israel has been and remains a haven for Jews, a home to go to, a place to seek a new life, a place where the desert has blossomed and where life has been changed from darkness to light.

The world today must continue to be ever vigilant to ensure that no tyrant or dictator ever again perpetrates such heinous atrocities on any group of human beings, wherever they may live. For the Jewish people, we will never forget the six million. May their memory be a blessing for us all.

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**Mr Kwinter:** I would also like to rise and join in what is a commemoration of what is known as Yom Hashoah; that is, the remembrance where Jews around the world weep for the six million who perished in Europe almost 50 years ago under the Nazi regime. Their only crime was being Jewish. There is hardly anyone in the Jewish faith who has not been impacted, who has not had a loved one, a friend who was slaughtered in this way.

For years I have heard of the horror camps of Bergen-Belsen, Auschwitz, Treblinka and Babi Yar, and quite frankly they were names, and names only, to me. Two years ago I had the occasion of visiting Kiev in the Ukraine and the officials there made a point of taking me to Babi Yar. Babi Yar is a park and what it stands for is

"baba," old lady, and "yar," a park, and that is where the old ladies used to congregate.

When the Germans occupied the Ukraine they sent a notice out to the Jewish community saying because the Red Cross had asked for the safety of the Jews, they were going to comply. They would ask that all the Jewish citizens assemble at Babi Yar, where they would be taken to safety. The irony of that story is that many of the non-Jews resented the fact that these Jews were given special treatment, so they showed up as well. When they showed up, over 100,000 of them were herded into the park, machine-gunned on the spot and bulldozers immediately covered them. To this day there is a memorial.

That tries to put some context as to the magnitude of what we are trying to commemorate. Today in synagogues and memorial services throughout the world there will be services held to commemorate and, more important, to ensure that we will always remember, so that the world will never forget.

**Hon Mr Rae:** I know that every member in this House will have some special thought or memory perhaps of friends or family. I can only recount to the House this day the extraordinary experience that my wife and I had last year when we visited Poland and Lithuania. My wife's father was born in the town of Radom in Poland and my wife's mother was born in a little village in Lithuania called Zidikai.

In Warsaw we were able to see the memorial to the ghetto uprising and to see a very small community of a handful, a few thousand who are left in that city where before the war the Jewish population was about 30% of the population of the city of Warsaw. Now it is a very few thousand. We visited the synagogue in Warsaw—there is one that is there—and had a chance to meet with some members of the community. Through interpreters we heard their story. We visited the concentration camp at Treblinka. What was overpowering about that experience was that we were the only people there visiting and one had an awful sense of the absence of memory, which is so troubling.

When we went to Zidikai, which was a tiny village, we were there on election day in Lithuania. So part of it was a celebration, because it was a chance for us to celebrate this expression of democracy in this town. The other part of what we wanted to do was simply try to talk to people about that community as it had gone through the war because this, again, was a village of about 1,200 or 1,500 and before the war the Jewish community was about 1,000-fold, about 300 or 400 families.

My wife's grandparents and her mother had come out in the 1920s to Peterborough, and there are others who have gone on to other parts of the world, but basically the community was there in 1941. We asked if there was anyone in the village who could tell us the story of what happened. We were invited to a very small kitchen in a tiny rural house in this Lithuanian village to meet a woman who would have been well into her 80s. She used to work in the post office. She knew everyone's name and she was able to recount. My wife, Arlene, asked if she knew any of the names of the people in her family and she knew them. She remembered them, she remembered who they were,



she remembered the dry goods store and she remembered the stores that were on the street.

Then we asked the inevitable question, what happened? The Germans attacked the Soviet Union in June 1941 and the Jews in Lithuania were rounded up with a brutality and a quickness which defies the imagination. We were told that people were corralled up together, taken to the synagogue, the men separated from the women. A couple of babies were spirited out and cared for by local families. But essentially, within three days this entire community was taken on a train to the neighbouring town, taken to the Jewish cemetery, lined up and shot, every one of them.

We asked if we could see the cemetery in Mazeiki, because it had been a community for hundreds of years. It was the middle of winter and it was across two farmers' fields and we could not go. We were very upset because we wanted to pay tribute. The people who were there said, "Is this very important to you?" My wife and I both said, "Yes, it's very important to us." They said: "Well, please trust us. When we can get across, when the weather improves, we'll take pictures of the cemetery and we'll send them to you." We said, "Has anybody been there?" They said: "No one has visited the cemetery for 50 years. It's untended."

We went away and it was obviously a day of enormous emotion. About three months later, a package arrived at my office. It was a package of photographs taken by members of the Lithuanian community who simply wanted to express their memory. It was an extraordinary moment.

We are living now in a prosperous community in which we often do not think of what life must have been like. We can remember best by paying tribute to those who died, to all those who have suffered discrimination, and by building a province and a country that knows not hatred.

**The Speaker:** If it is the pleasure of the House, I would offer an observation that the three members who have spoken today with their kind and thoughtful remarks have once again underscored how ably served, by all sides of the House, the people of the province are, with members who possess a great compassion and understanding. I for one appreciate it.

## STATEMENTS BY THE MINISTRY

### ANTI-RECESSION PROGRAM

**Hon Ms Lankin:** The members of this House are well aware of the severe repercussions the current economic downturn is causing in homes across this province, and our challenge is to get people back to work today and provide them opportunities and training that will serve them into the future.

We made a major commitment to these goals in last November's throne speech when we announced a \$700-million anti-recession program. Its aim is to alleviate some of the recession's hardship by creating short-term jobs through the upgrading or expansion of public buildings and other infrastructure.

As the members are aware, many announcements by my colleagues have followed. With the Ministry of Government

Services projects that I am announcing today, the \$700 million has now been fully committed to the anti-recession program.

With the program's emphasis on public facilities, my ministry has a natural role to play. I am pleased to advise the members that we have earmarked \$36.5 million for 137 projects in 66 communities across Ontario. These include repairs to OPP detachments and correctional facilities, construction of four new OPP detachments, new travel information centres in Sarnia and Cornwall and new Ministry of Agriculture and Food offices in Clinton and Vineland.

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The funding also includes more than \$3 million for special employment equity measures. My ministry will be encouraging contractors who wish to be considered for projects to provide apprenticeship and employment opportunities for women, first nations peoples, francophones, visible minorities and people with disabilities.

The key to this program is quick action—job creation now. Many projects will begin in the next eight weeks and all will be completed within the 1991-92 fiscal year. In total, they will create more than 15,000 weeks of employment.

As Chair of both the Management Board of Cabinet and the operations committee, I am also responsible for overseeing the implementation of all the projects initiated by those ministries participating in Ontario's anti-recession program. I would like now to inform the House of our progress.

Twenty-two ministries are participating and they are undertaking more than 3,000 projects. As many as 14,000 jobs will be created by our investment in the public infrastructure. In total, 20,000 jobs will be created by all measures being taken by this government to counteract the recession.

On behalf of the government, I would like to thank the many municipalities and school boards, hospitals, colleges and universities and other local agencies which are working with us to implement and fund many of these projects. Our community partners are contributing over \$200 million to this program, and they are contributing in bringing that combined provincial-local investment to more than \$900 million.

Before providing you with some examples of the kind of projects being initiated, I would like to briefly inform members on the process we have followed in developing the anti-recessionary program.

The operations committee of cabinet is responsible for overseeing the program's development, implementation and follow-up. The committee has worked closely with ministries in identifying potential projects and establishing some of the selection criteria, including the following: Projects should begin as soon as possible, be labour-intensive and achieve significant public benefits; there should be no regulatory, design or other impediments to getting the projects up and running and completed; projects in areas experiencing serious economic problems should receive priority attention; and attempts should be made to offer employment opportunities to women, first nations peoples



and other employment equity groups that might not otherwise benefit equally from the program.

Ministries have worked hard to select projects which meet these standards and will ensure that they are implemented as planned.

Members will recall that work on over 300 projects with a cost of \$41 million was announced in December of last year. These diverse projects, which range from renovations to North Bay's Canadore College to forest management operations in the Cochrane area, are well under way and nearly 35,000 weeks of work are being created.

Many additional projects have since been announced, and jobs are being created and essential public services are being improved in many priority areas. Examples include: improved day care facilities; construction of expanded transition homes for abused women and children, such as Thunder Bay's Faye Peterson Home, to reduce overcrowding; upgraded energy efficiency in Ontario Housing Corp buildings to cut operating costs and reduce fuel consumption; upgraded water and sewer services to ensure safe drinking water and better waste treatment; renovations to improve fire safety and security in hospitals and homes for the aged; renovated educational facilities to improve learning environments for our children; and improved access to public buildings for the elderly and persons with disabilities.

In addition to the \$650 million in funds allocated for capital projects, \$50 million is being spent on special adjustment measures to open up employment and training opportunities, particularly for employment equity target groups. We want to encourage their fuller participation in the economy now and in the future.

For example, we are funding initiatives that will train first nations peoples to: manage local construction projects; use new automated library equipment in 43 public libraries; co-ordinate resource projects in Espanola; and act as apprentice health counsellors.

With the increase in welfare case loads across Ontario caused by the recession, we are hiring and training welfare recipients themselves to help social service agencies meet rising demands for service. Single mothers and others will gain valuable experience that we hope will be transferred to other permanent job opportunities. Social assistance recipients will also have access to child care training positions which will help them to pursue careers in this field.

In summary, the kinds of capital projects and special measures we are funding offer profound benefits whose impact will be felt well beyond the recession. Many basic repairs and renovations to our public buildings and other facilities, too long neglected because of insufficient provincial funding, will now be undertaken.

Above all, people will benefit, not only from their paycheques but from the new skills that many will learn. While the jobs will be short-term, we hope the results will be long-lasting.

I look forward to the continuing support of our funding partners and all members as we implement the anti-recession program and put people to work.

## EMPLOYMENT EQUITY

**Hon Mr Farnan:** Today I am pleased to announce an employment equity regulation which will increase the representation of four prescribed groups in police services across Ontario. These groups are racial minorities, aboriginal persons, women and persons with disabilities. This regulation will provide for fair and equitable employment opportunities for civilian and uniformed police service employees. In particular, it will address past inequities experienced by the four prescribed groups.

In April 1989, the Clare Lewis Race Relations and Policing Task Force presented the Solicitor General with 57 recommendations. These covered the major areas of hiring and promotion, race relations training, the use of force and community relations.

My ministry is solemnly committed to acting on the task force recommendations. This is being done through the race relations and policing unit, which was established to help implement the task force recommendations, and through the new Police Services Act.

This employment equity regulation spells out to all police services and boards what actions are required of them and the time lines for such action. My ministry is also providing support for implementation of this regulation. Chiefs of police will be required to implement employment equity plans which detail specific goals and timetables to increase representation of the prescribed groups in their workforce. Sanctions will be applied to those police services which do not comply with the regulation. These sanctions range from the appointment of an independent employment equity administrator to suspension or firing of the police chief or members of police services boards. Every police service will make available, at no cost, information contained in its employment equity plan to any member of the public who requests it.

The Police Services Act commits the municipal police services boards and all police chiefs to submit employment equity plans and results to my ministry on a continuing basis, commencing in May 1992. Thereafter they will also submit annual results which will show how goals are being met within the specified time frames.

The regulation is broad enough to accommodate the needs of all police services across Ontario. It is also specific enough to ensure results throughout all levels of each police organization.

I am encouraged by the support this regulation has received from provincial organizations involved in policing. I wish to point out to members of this House that through an extensive consultation process, these regulations are fully supported by the Ontario Association of Chiefs of Police, the Municipal Police Authorities and the Police Association of Ontario.

Additionally, I know that members will be interested to learn that this regulation has been developed through broad and full consultation with our partners. These partners are the 140 police and community representatives with whom we consulted in discussion group sessions in Ottawa, Thunder Bay, Toronto and London. The regulation incorporates the spirit of co-operation exhibited at these meetings.



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I would like to recognize the efforts of our partners who worked with the ministry to develop this important regulation. Their sincere desire to improve the community-policing relationship and their dedication to fair and equitable employment has allowed the ministry to develop a regulation with clearly defined goals and objectives.

I believe it is appropriate at this time to recognize the presence in the assembly of some of those individuals who played a leadership role in the development of this regulation. I would ask to stand, representing the Police Association of Ontario, Neal Jessop, Gord Noles, Ted Johnson and Bob Morrison; from the Ontario Association of Chiefs of Police, Chief Harding; and from the Municipal Police Authorities, Mr Justice H. Ward Allen and Sandi Humphrey. To these and other members of my ministry's external consultative committee we owe a debt and a sincere thanks.

My ministry is providing comprehensive information packages to its partners across the province, in both official languages. Additionally, certain information will also be provided in a number of other languages, as well as on audio tape, to ensure that as many of the people as possible who are affected by this regulation are fully informed.

Employment equity for police is a province-wide issue. Police must become more representative of the communities they serve. This regulation will help the police and community to work together with increased trust and co-operation.

This regulation is the first of its kind in Ontario. It is my sincere hope that as it proves its success, it will become a workforce model for Ontario's public and private sectors. We must all commit ourselves to employment equity to enjoy the full rewards and benefits of a workforce which draws from the talents and skills of all people in Ontario.

## RESPONSES

### ANTI-RECESSION PROGRAM

**Mr Bradley:** It is interesting how the perspective changes when people change sides in the House. I can well recall some of the questions and statements which were made previously by the government on the issue raised by the now Solicitor General.

But I am going to respond not to the Solicitor General's statement but to the Chairman of Management Board's statement. I thought this should be a Treasurer's statement. I am really amazed that in fact it came from the Chair of Management Board, who it is alleged has aspirations to be the Treasurer of the province of Ontario.

The Minister of the Environment would be particularly interested in this statement, because it really incorporates a new set of four Rs, and I even wrote them down today: recycle, reuse, rename and reannounce. That is precisely what this government has done throughout this so-called anti-recession package.

If members examine the grants which would have been made—and I want to give credit to my good friend the Minister of Transportation, who really let the cat out of the bag. I want to give him credit for his frankness and honesty in this, when he said in the Kitchener-Waterloo Record that there is nothing to force the municipalities to use

the savings to create more jobs. In a municipal election year, some municipal councillors might be tempted to use any savings to ease property taxes. But he said that there are other incentives for them to use it for road work. What the Minister of Transportation is pointing out is, in fact, because many of us served on municipal councils, they will find the money welcome and they will not get an objection from those to whom they have transferred some of those funds.

I guess what we object to over here is that the government pretends it is doing something new and different. This is essentially an announcement for monthly publications, because it is old news. Many of them are programs which are reannouncements, not only from what they said when they first came into office, but also from what the previous government had already announced. So some of the work they are doing in northern Ontario, for instance, could easily be characterized—and the northern members know this—as work that is going to be done anyway.

The members should examine each one of these and they will find these are routine announcements they put out. They get away with it sometimes with some of the publications that do not know them well enough to know they are recycling these, but essentially this is old news. I am sure the critic for the Solicitor General's department will be equally constructive in his comments now.

### EMPLOYMENT EQUITY

**Mr Curling:** I know how proud the Solicitor General is today that he has introduced this employment equity regulation and I share his pride too. Because it took him such a long time to introduce it, I hope it has been carefully analysed. I know it will be important to this community.

As you know, Mr Speaker, he had promised this from December 1990 and he is just now introducing it. I want to commend those who have partaken in bringing about this regulation. I want to recall and refresh the Solicitor General's mind. The present Minister of Transportation wanted most of these regulations to be passed through the standing committee on administration of justice, so that the elected members can have their contributions in open government aspects of it so he would have a better regulation. I have no doubt at all that thoughts have gone through it with his bureaucrats and some of the people he has consulted with. Of course, he said it is a very meaningful consultation process.

I had hoped some of the community people who have contributed would be here today to take their bows. I hope we could look forward to seeing him doing more about those regulations. We had many regulations he had promised to bring in today. We know he failed to introduce those regulations. There are some regulations on use of force by the members of the police force, which we have not seen yet. He had promised to bring forward the prescribing of a code of conduct on which offences constitute misconduct. That is not here yet. The police pursuit guidelines: We have not seen those yet.

It took the minister five or six months to bring this forward. We still hope, for that open consultation process and the way to draft this regulation, that when he brings



the rest of the regulations, he does not make the same mistake of making it in a rather closed way. Give us an opportunity through the justice committee to partake with the rest of the regulations. We have been waiting a very long time for that. The people need it and I have my trust in him. He should not let us down.

**Mr Carr:** I welcome the opportunity to get up and speak about bringing various members of our community into the police force. I am very pleased to have my police chief from the Halton area here to see this. In fact, during the last period of time I spent some nights out with the undercover police. The sergeant and her partner who were taking me out, doing some of the most difficult and serious crimes, were both women. The sergeant and her partner did a very effective job, so I saw at first hand what women can do in the police force during very dangerous situations.

However, I am concerned about the rise and increase of crime in this province. I was out last night to the meeting at Metro's city hall. Women are affected by this crime in our streets. The aboriginal people are affected by crime on the rise in their communities, as are the minority communities. These are the factors that are not going to be addressed. I would hope he would work very urgently in this area to set quotas and to reduce our crime rates, so that the people, the minorities, the women, the disabled and the aboriginal people also are going to see that crime against those communities is reduced. That is very urgent. I would like to leave a little bit of time for the critic for women's issues to respond as well.

**Mrs Witmer:** As this government embarks upon a program of employment equity for the private and public sectors, I hope there will indeed be true and full consultation with all those involved. I hope the government will take a look at the elimination of the barriers that women, visible minorities, native people and people with disabilities face. I hope it will also fully utilize the educational system to provide these people with the skills and the training they need to become productive employees, and I hope there will be public awareness campaigns to change attitudes and educate people about the very important role each person in this province plays. I hope that is where the focus will be instead of mandatory quotas because, although we can legislate change, we must remember we will never achieve full and complete employment equity until attitudes in this province change as well.

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#### ANTI-RECESSION PROGRAM

**Mr Turnbull:** With respect to the announcements made by the Chairman of the Management Board of Cabinet and Minister of Government Services, I would just briefly comment that four months ago we heard their government announcing a \$700-million package, an anti-recession package. We were given to believe this was going to be a labour-intensive capital project package. Today we find that it is now only \$650 million, and \$50 million has been bled off towards the minister's employment equity agenda.

That was then, this is now, and what will it be tomorrow? How much money is the government finally going to

spend on job creation? It might be more appropriate to get the Minister of Housing to let some of the renovations go through and let them be charged back in the proper way.

**Mr Tilson:** With respect to the comments of the Management Board chair, it is certainly clear there is nothing new in what she has said and it is sad that when she cannot think of something to announce, she brings up old statements. What the chair has announced today, other ministers have already announced. The only thing that appears to be new is her repair projects across this province. The job losses under her direction are worse in the province of Ontario than anywhere else in this country. We have felt this recession more in this province than anywhere else in this country and it is all under her direction.

Where she is leading, of course, is in setting a terrible example with her jobs. The employment increases are up to 6% plus. She has set no standards at all. Quebec, on the other hand, has frozen its public sector salaries for 400,000 public sector employees. The chair does not appear to be studying that issue at all. All she is doing is spending.

#### ORAL QUESTIONS

##### SOCIAL ASSISTANCE

**Mr Nixon:** I was interested that the honourable member for Scarborough Centre, I believe, who was in his place a moment ago, had made a statement on behalf of the government or perhaps on his own behalf, in response to the antipoverty coalition which is here today and after talking to a number of members, that the federal government is responsible for poverty and the difficulties caused by the recession and that in fact this government's hands are tied and the responsibility lies elsewhere.

We know that in this House the Treasurer has indicated he does not see the financing over the next five years to fulfil the government's promises in this regard. Yesterday, or the day before, I guess, the Minister of Community and Social Services indicated she has no plan to eliminate food banks during the term of this government, and yet the government has moved quite dramatically to increase the pay of civil servants, it has indicated it is ready, willing and able to reform teachers' pensions and there are even rumours that it is trying to scrape together \$300 million in back pay for the medical doctors who have gone so long without any sort of a reasonable pay increase.

Since in his pledge to the people the Premier said, "I will not lead a government driven by a narrow and self-interested agenda, ignoring what needs to be done," I simply ask him, why does a government decide to do those three things and many others that I have not bothered listing, which have all been expensive and important in their own ways, but has neglected totally its promise and its initiative to end food banks and reduce poverty in any reasonable program in the government program, and particularly on the basis of the inadequacies of the funding that has been made available to the Premier's ministers in this regard?

**Hon Mr Rae:** First of all, I want the Leader of the Opposition to know that I do not regard this exclusively as a federal matter. I think it is fair to say that everybody has to pitch in, but we certainly take our responsibility seriously.



We feel very strongly that we as a government do have a responsibility and I can point to several examples where we have already taken steps. I can assure the member that more has to be done and more will be done, within the limits of what can be done.

First of all, let me remind the honourable member that for people who are on welfare, we have increased benefits this year by some \$286 million on an annualized basis which, I would remind members, is \$100 million more than he allocated when he was Treasurer, to be spent starting on 1 January; \$100 million more, money that was on the shelf, that stayed on the shelf and that was not being used effectively for the supports to employment program. In terms of getting back to employment, a \$54-million fund was put into play by our government in response to the need that is very clearly there.

We are looking at providing some protection for tenants. It is controversial, but it is going to provide assistance to tenants that is going to be very substantial in terms of money in their pockets. We are dealing with the wage protection fund, and it is going to be coming down soon in terms of legislation. That will also have an impact.

These are examples of the things we are doing. I very much believe it is our responsibility to provide as much as we can for those people who are being affected by the recession.

**Mr Nixon:** I will not dwell on the extra \$100 million the Premier indicated. I would not for a moment indicate—

**Hon Mr Cooke:** I wouldn't either if I were you.

**Mr Nixon:** Well, since the Minister of Housing, in his usual aggressive way, is asking for information, I would simply indicate that the \$100 million has to be taken in the context of a budget for welfare services of about \$5 billion. As a matter of fact, we had allocated a 5% increase and the government, gathering all its strength, all its sensitivity and all its generosity raised that 2%. I would suggest that if the minister thinks that is the solution to food banks and poverty, then probably he would be better back on the city council of one of the suburbs of Windsor.

I would like to say we are not in any way criticizing the intentions of the Premier or any member of this House in order to solve these problems. But certainly I, and on behalf of my colleagues, am critical of his priorities. For example, in November of the year, it is customary, not waiting for the budget, to present the allocations for community-based agencies, such as day care, children's aid societies, children's mental health centres and community homemaking services. We have heard nothing about this except the indications in the media that many of these services are being pressed to the wall and not able to live up to the heightened responsibilities they must serve.

I would not for a moment indicate that the Premier is responding with these hundreds of millions of dollars to those who have the most political clout and perhaps bought advertisements in his support during the election campaign, but how are we going to find out, during these economically difficult times, why the Premier is responding only to those people and those groups with strong, organized political voices, and not to those he felt he was a

principal spokesman for when he was in opposition, not to the agencies and not to the poor people who are, God help us, suffering hunger and poverty?

**Hon Mr Rae:** I have heard the accusation from the Leader of the Opposition. I can only tell him it is quite unfair, quite unfounded and completely and totally inaccurate. It is not a reflection of the reality at all. If the member looks at the decision this government has taken, his government sat for five years and left workers who were laid off, at all levels of society, 60% of them without a trade union of any kind, bankrupt workers forced to go on welfare.

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We have said that workers who are affected by a bankruptcy will not be out wages in the province of Ontario, and they should not be out wages in the province of Ontario.

He had years to deal with that. If he looks at the steps the Treasurer has already taken in terms of the transfer announcements he has made, those transfer announcements are well above inflation and they provide for people at all levels of our society who are providing service.

If the former Treasurer, the Leader of the Opposition, is saying we could be doing more, I am sure that is a criticism which all of us can accept. There is more to be done and I can tell him that more will be done.

**Mr Nixon:** I am sure the Speaker is aware that during the years when the Premier said we should have been doing something, we created a net 700,000 new jobs in the province. During the six months the NDP has been looking after our affairs, we are losing an average of 1,600 jobs a day. I would ask the Speaker, in his position of fairness, to simply compare and indicate with a nod who did the better job.

I would like to say further to the Premier, who keeps repeating about his anti-bankruptcy legislation, which he announced in a flurry of enthusiasm at the time he allowed his friend, Mr Rice, the president of—what was that company?—Varity Corp to move to Buffalo, that he was going to do this and, meanwhile, his Minister of Labour, struggling to stay awake during question period, still has not introduced the legislation. We thought it was going to be this week. Maybe it will be tomorrow.

What has he done? What has he done to improve the competitiveness of the Ontario economy? What has he done to create jobs? What has he done to retrain workers from sectors experiencing permanent job losses? As a matter of fact, I would ask him, what has he done, other than the oft-reiterated \$700-million commitment which would make up for about two weeks of the jobs lost under his leadership, to improve the economy of the province, to feed the hungry and to improve the lot of the poor?

**Hon Mr Rae:** I suppose one could use this question period as a chance for us to simply exchange barbs back and forth, and there is a good deal of that that goes on.

I would say this to the Leader of the Opposition on this day, as I have said to him on other days and will say to him again. If he is saying, for the benefit of those who are watching and those who will be watching later on, that his government was exclusively responsible, his government in Ontario was exclusively responsible for the prosperity,



that when he became Treasurer there was instant prosperity, and then arguing that on 6 September the recession began with the election of the New Democratic Party, I would only say to the Leader of the Opposition that that is the same kind of argument his former leader tried to use in the last week of the election campaign, and I think the voters of Ontario told him and his party exactly what they think about that kind of nonsense.

**Mr Nixon:** NDP times are hard times and the people are coming to realize that.

#### ADVISORY COMMITTEE ON AIDS

**Mr Nixon:** I have a question for the Minister of Health, and she says—I think she mouthed, “It’s about time,” but it could have been something else. You know what happened to Trudeau in that regard.

Accusations have been made in today’s press that the Minister of Health has failed to meet with her own Advisory Committee on AIDS since assuming office. I want to just say a word about that committee. It is not a political group. Most of them were appointed under the previous administration. The committee is a broadly based group of about 70 experts with clinical, public health and community expertise. Yet in the first six months of this government’s mandate, the minister has not met with her advisory committee nor given them any direction on the policy agenda and priorities that she will pursue.

Can she explain why she is failing to adopt a co-ordinated consultative approach to policy developed in this extremely important and sensitive area, and why she is ignoring the advice that her committee proffers?

**Hon Ms Gigantes:** The Leader of the Opposition will well recall that it was the previous government which in fact instituted the advisory committee. All of the appointments were made by the previous government, and I would agree with him that it is a group comprised of excellent advisers on the subject of what we should be doing in the province of Ontario to combat HIV infection and the spread of AIDS.

This committee has had one meeting. It meets on a quarterly basis. I do not know if he is familiar with the pattern of it. It meets on a quarterly basis. There was one meeting since the election, previous to the meeting which will be held tomorrow. I will be joining them at the meeting tomorrow. I did meet with representatives of the committee a few months back and I certainly have taken great care to pay attention to their recommendations.

**Mr Nixon:** I do not know the significance of the minister’s comment that the committee was appointed under the previous administration, but it does lead to the question as to why—

Interjection.

**Mr Nixon:** Of course I said that. And then she said it. What was the point of that?

Perhaps she could explain why the members of this committee have indicated that the minister’s response to their advice is insensitive and inadequate. There is an indication that a number of them will not be able to continue with their duties because of that insensitivity and inade-

quacy. Why can this sensitive and presumably adequate minister not give an appropriate explanation as to why these people, who are not political but are expert and deeply concerned with this matter, find that her leadership is inadequate?

**Hon Ms Gigantes:** The leader of the Liberal Party points out that I told him that this committee was appointed during the term of office of the government in which he served. He has suggested that some of the members were appointed during that term of office. I explained to him that all of the members were appointed, because it was the previous government which set up the committee. I hope he understands the purpose for which I explained.

There is no reluctance on my part to deal with the advice from this committee. In fact, I have studied the recommendations and the reports on which they are working. I have, as I pointed out earlier, met with representatives of the committee and I will be meeting with them this afternoon in their regular meeting.

**Mr Nixon:** It turns out that there are more than three pedagogues in the House, and now I add the minister to that list.

I do not know whether she is trying to say that there are only some of those people whose advice she would accept, or if she wants to adjust the committee in some way. The question really was to try to get her to explain why they are so disaffected with her leadership, to the extent that they have gone public. Was it to force the meeting that is going to happen today? Was it because the minister has indicated that she is not prepared to take action on anonymous testing, on northern travel grants, on using the Ontario drug benefit formulary to include new drugs? Is there some difficulty with the minister being too busy preparing for the answers to questions in the House? Why would she say that the AIDS community, at least their knowledgeable and principal spokespersons here, feel that she is inadequate in performing her responsibilities?

**Hon Ms Gigantes:** The leader of the Liberal Party is saying something which I do not think is accurate. Certainly, there has been one resignation to my knowledge by a member of the committee. This is normal in the course of events, where you have 20 members on an advisory committee, over a period of time.

I think members of the advisory committee are well aware of the fact that this government has been very intensely working on a series of initiatives in the program areas the Leader of the Opposition has indicated and also in others. I will be taking the opportunity this afternoon to discuss those initiatives with them and also to discuss with them, because I feel they are highly qualified to give advice to this government and to any government, the work that needs to be done in this province on the subject of AIDS. I will be looking to them for recommendations about how their work in fact can become more effective in influencing the development of comprehensive policies and programs that will assist people touched by HIV/AIDS in this province.



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## TIME ALLOCATION

**Mr Tilson:** My question is to the Premier. Yesterday, I spent some time with the parliamentary assistant for the Minister of Housing studying the question of fairness, and she had a great deal of difficulty understanding that question and perhaps defining it. I think I would like to have the Premier tell this House some of his thoughts on the issue of fairness.

Over six months ago, the Premier told us that his government was different. It was a government that was fair. It was a government that was accessible. I say hooey. His government is a government that is trying to muzzle the views of the province of Ontario. His government has the audacity to try this afternoon to bring an end to the debate on Bill 4, one of the most ill-conceived pieces of legislation, retroactive legislation, that this province has ever seen. I want the Premier to tell this House today what he meant when he promised us fairness.

**Hon Mr Rae:** I think the Minister of Housing deserves the opportunity to reply to the question.

**Hon Mr Cooke:** I appreciate the—

Interjections.

**The Speaker:** Are the members trying to tell us that they do not wish to hear a response? The question was redirected to the minister under standing orders. If you would like to hear a response, then perhaps you will all sit quietly and listen.

**Hon Mr Cooke:** The first thing I would like to say is that I, as minister, am very proud of the leadership that the member for Niagara Falls, my parliamentary assistant, has provided on Bill 4. We in this party have indicated right from the beginning that we are determined to bring in real protection for the tenants of this province. The first step of that protection is Bill 4.

The Liberal Party on second reading voted in favour of the bill. Since then, they have been speaking against it. I am not sure where they stand.

The Conservatives have been consistent. They have said from day one they are opposed to Bill 4 and they are not going to allow the bill to pass. They left us with no alternative. We have an agenda to protect tenants and we as a government are determined to do that. The Conservative Party is trying to prevent that from happening and that is why we have had to bring in time allocation today.

**Mr Tilson:** The parliamentary assistant did not know what fairness was, and obviously the Minister of Housing does not know what fairness is. I would hope the Premier would be able to tell us; however, he is acting more and more like the last government, as far as his conduct today is concerned. We call it the Peterson shuffle—the Peterson shovel.

From day one this government has attempted to ram through Bill 4. We have seen that in the committee. We have seen that in this House. We have had to fight to send this bill to committee, and when we got there, we had to fight for a fair and open process, a process that despite our attempts turned away over 100 delegations. I want the

Minister of Housing—I would have preferred to have the Premier, but if he is shuffling it off to the Minister of Housing, I would like the Minister of Housing to tell us if he really believes that he has heard all there is to hear with respect to this piece of legislation.

**Hon Mr Cooke:** What I would like to hear is, if the Conservative Party has any other position than deregulation, maybe it can be of some help, too. But so far all they have said to the people of Ontario is: "We made up our minds long ago. All we believe in is deregulating rents and leaving tenants unprotected." We do not share that opinion, but we have presented a point of view through Bill 4 on a temporary piece of legislation. We have had public hearings through the general government committee right across the province. We have had extensive consultations with thousands of people on the green paper, and we are going to have public hearings right across the province on the permanent piece of legislation.

The critic for the Conservative Party said they had to fight hard to get Bill 4 out for public hearings. They asked once and we said yes. We know what it is like to have to fight for public hearings. We had to fight for them all the time.

**Mr Eves:** My, how times have changed. The former House leader of the New Democratic Party, now the Minister of Housing, standing up and talking about defending time allocations.

**Mr Bradley:** Do you have some quotes, Ernie?

**Mr Eves:** I have a little quote here from the honourable member. I am glad the member mentioned that. I just happen to have a few of them handy.

On 3 April 1990, the honourable minister said: "I would suggest that"—time allocation—"is incredibly unfair. It will result in the process not holding the government accountable."

The now Premier of the province stood in his place on 8 December 1982 and said that closure and time allocation had absolutely no place in the parliamentary process in the province of Ontario. Is this the kind of difference, fairness and accessibility that he promised?

**Hon Mr Cooke:** I think the position that I have certainly tried to take, and I know that other members of my caucus have taken, is that each case has to be taken on its own merits.

Interjections.

**Hon Mr Cooke:** It is true. If I could give an example—

Interjections.

**Hon Mr Cooke:** Just hold on. If I could give an example; if the opposition would let me give an example.

**The Speaker:** When I can hear it.

**Mr Scott:** Mr Speaker, on a point of order: Is it permissible to take this whole answer as given, as read, done, and then move on to something else?

**The Speaker:** That is not a point of order, but it may be a point of restoring order.

**Hon Mr Cooke:** If I might just give an example that I know the member would appreciate, when Bill 94 was



brought in by the Liberal government, the legislation that brought in the ban on extra-billing, the Liberal government of the time was forced to bring in time allocation. We were the third party and we supported that time allocation because it was in the interests of the province.

#### PUBLIC SAFETY

**Mr Runciman:** My question is to the Minister of Correctional Services.

Interjections.

**Mr Runciman:** I will wait a while, because this is a rather serious issue.

**The Speaker:** The member is absolutely right. I think the atmosphere is nice and clear now. The member for Leeds-Grenville with his question.

**Mr Runciman:** A convicted rapist is living in a half-way house in the city of Brockville only two months after beginning to serve a jail term of two years less a day. William Uloth raped a 12-year-old girl last summer, and what made this attack even more tragic was that it occurred just months after the death of the victim's father. The victim's mother says: "What's to stop him from doing it again? He's out in the community and there are a lot of vulnerable young kids around."

Mr Uloth served his two months of so-called hard time in a county jail and then he was let out on to the streets of the same community where the 12-year-old victim lives, and the Correctional Services ministry did not even have the decency to inform the victim's family.

The corrections system has placed the offender's rights ahead of the victim's, an absolute disregard for the protection of society. Officials of the ministry put a man responsible for the violent rape of a 12-year-old girl back on the streets after two months in a county jail. Does the minister support that decision, and if yes, why? If not, what is he going to do about it?

**Hon Mr Farnan:** The primary responsibility of a minister in the area of corrections has to be the security and safety not only of those who are in our trust but of the community. I take that responsibility very seriously. I am very concerned with the facts that have been presented to me today and I intend to look into the situation. After I have full information on the situation, I intend to get back to the member and respond to his concern.

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**Mr Runciman:** I am astounded that the minister is not aware of this situation. It has certainly been in the eastern Ontario media for some days, and I do not think that he has a defensible position on this, or his ministry does. We are talking about a man responsible for the rape of a 12-year-old girl, a girl from a low-income family, a 12-year-old girl who had just lost her father.

I would like to put some comments from the victim impact statement on the record: "This 12-year-old victim suffers continual nightmares about the assault. She is trying to cope with feelings of low self-esteem and she is now being treated by a psychologist."

I would like the minister to stand up in this House today and indicate to this 12-year-old victim and her

mother and countless other victims and their families across this province that he disagrees with what his officials did, that it was not okay, and that he, as the Minister of Correctional Services, does see something wrong with the rapist of a 12-year-old girl being out on the streets of her community after that individual served only two months of soft time.

**Hon Mr Farnan:** I will repeat for the member this fact. These are very serious statements that are being made in the House that cause me great concern as a minister. It is an issue I intend to examine thoroughly, and then I will get back to him.

**Mr Runciman:** The minister has been in office almost seven months and we are talking about the system. This is an individual case that I personally and I assume all members of the House are very much concerned about, but in my view and in the view of officials I have talked to around this province, the corrections system is a fraud. We have the Attorney General's ministry working to put people behind bars and, as soon as they are there, we have Correctional Services officials working like beavers to get them out, mollycoddling people who rape 12-year-old girls.

Violent crime is growing at a breakneck pace in this province. Just yesterday, a 19-year-old woman was raped after her car stalled near Stratford. The minister can start to change that if he genuinely cares about victims and victims' rights and he can commit himself to revamping the system that provides soft treatment for people like Mr Uloth, a revolving-door system of justice that places a criminal's rights ahead of the victim's and the community's at large. Will the minister commit himself to that today?

**Hon Mr Farnan:** The Attorney General, the Solicitor General, the Minister of Correctional Services and this government are vitally concerned to have a justice system that is sensitive, that works, that is effective. I thank the member for bringing this information into the House. It certainly makes for a dramatic moment in the House.

I would like the member to feel free to come to me any time he has information and any concerns, to come into my office with this information, so that we sit down, check the facts, discuss the facts and, if he has concerns at that stage, then I think it is fine. But I will say to the member again that it is my commitment, not only to him but to this House, that I will investigate this situation, because I think it is very serious.

#### WAGE PROTECTION

**Mr Offer:** I have a question to the minister of layoffs, also known as the Minister of Labour. He will recall that in the aftermath of the Premier's Massey-Varity sellout, it was announced at a ratification meeting of 19 October 1990 that a deal between the Canadian Auto Workers, Kelsey-Hayes and the provincial government had been struck.

As reported in the Windsor Star, "The agreement would allow workers to place their severance pay in trust with the Ontario employment standards branch." It was explained that putting the severance in trust would allow



them to draw federal unemployment benefits immediately. The workers could then collect their money from the provincial trust once they found new work or UI benefits expired. That, they were told, would allow them to save thousands of dollars.

The problem is that this type of agreement is illegal and the Unemployment Insurance Commission is waiting now to confiscate the severance pay of workers who participated in the minister's scheme and collected UI. My question is whether it was either the minister's negligence in allowing his ministry to be part of this illegal agreement or, on the other hand, was it his incompetence in making such an agreement before checking with the UIC?

**Hon Mr Mackenzie:** I want to tell the honourable member that, as far as I am concerned, it was neither. The deal with the workers at Kelsey-Hayes is a deal that was worked out with their union, their legal representatives, the Canadian Auto Workers, and an effort was made to find a mechanism whereby the workers would not lose their severance pay. It turned out that particular method of protecting that severance pay was not upheld, and it is one of the reasons why we will be bringing in legislation that will correct that problem.

**Mr Offer:** I find the minister's response quite surprising, because in that particular report by the Windsor Star it goes on to quote Lewis Gottheil, the lawyer for the CAW's head office in Toronto, to speak about Buzz Hargrove, assistant to CAW president Bob White, and to state that there was a deal made, an agreement made between the CAW, the ministry and Kelsey-Hayes. In the minister's response he seems to be stating that his particular ministry was not part of that particular arrangement. This seems to fly in the face of the facts that have been brought forward on earlier occasions.

That particular agreement has been declared illegal by the UIC. The minister had an obligation, if not a responsibility, to inform the workers how the federal government views those particular severance payments as opposed to the UIC benefits. The minister had that obligation. He refused to do so. At the very least he had the opportunity to say, "We want to take that agreement before the courts and have the courts rule upon that." The minister has said no to the workers, he has said no to the agreement and he has said no in terms of his responsibility.

My question to the minister is whether he is ready to finally stand up and say, "I'm going to stand behind the agreement, have it determined by the courts, and let's see how it is decided." Let's see some action on his part.

**Hon Mr Mackenzie:** I can only tell the member that the effort to protect the wages of the workers was one that was entered into in good faith. It was not successful and that is exactly why we will be having legislation before this House to protect workers in situations similar to this.

#### LONG-TERM CARE

**Mr Eves:** I have a question for the Minister of Health. In a speech given to the Ontario Hospital Association on 28 November last year, the minister said that her government had a great commitment to long-term care in this

province and that it would be proceeding. Can she tell us how it is proceeding?

**Hon Ms Gigantes:** I am pleased to report that it is proceeding very well.

**Mr Eves:** That was certainly a general answer given. The reality is that the same minister appeared in the Kitchener area during March of this year, last month, and indicated that because of federal restraints she was going to have to cut the home care program, and unfortunately it would be among the first fatalities in the Ministry of Health.

How can the minister suggest that she is proceeding with long-term care objectives in this province and at the same time be delivering a speech in the Kitchener area that indicates she may have to cut the home care program in that area? How can she do that?

Does she believe in the previous document, *Strategies for Change*, and what progress has she made? The minister says it is proceeding. That is very nice and that is a flippant answer, but there are a lot of people out there who need this service. It is about time maybe the minister got off her duff and did something.

**Hon Ms Gigantes:** I am sure the member understands that I can look after my own duff. I do not need his advice. I am glad he raises the question of the quote that was in the Kitchener-Waterloo Record, because that was a very mistaken quotation.

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**Mr Eves:** Why, they all got it wrong.

**Hon Ms Gigantes:** Yes, the member says the Kitchener-Waterloo Record got it wrong, and in fact the Kitchener-Waterloo Record did get it wrong. It is key to what we are going to be doing in the long-term care program that we are going to be increasing the resources available for community-based programming. We have to build up those resources at the community base so that people can receive service and the support they need to be able to stay in their own homes, they are in supportive housing, and they will not have to be institutionalized at rates which are both unacceptable in terms of their wellbeing and in terms of the financial underpinning of our health programs in this province.

#### LAND USE PLANNING

**Mr Duignan:** My question today is to the minister responsible for the greater Toronto area. First of all, let me offer my congratulations to the minister for her recent decision over the initiatives on garbage removal and excluding Halton from that decision.

In the last couple of months I have been contacted by a number of people throughout the region of Halton who are concerned about the quality of life and the future of their community. As the minister knows, there are problems such as urban sprawl, accessible affordable housing, water quality and many concerns about the environment. Can the minister give some indication as to how and when these concerns are going to be addressed by the office of the GTA?



**Hon Mrs Grier:** I am glad to respond to this question and to say to the member that the issues he raises are going to be addressed both by the office of the GTA and by the region of Halton. The previous government had given financial assistance to the region to undertake a review of its urban structure, and I am delighted to be able to confirm to the House that this government is going to continue that financial assistance.

Last Saturday, I and other members of this House—the member for Halton North, the member for Halton Centre and the members for Burlington South and Oakville South—attended portions of a workshop put on in Halton by the chairman, looking at precisely the kinds of issues the member raises. As Halton region embarks on the second stage of its review, I am confident that those issues will be addressed.

**Mr Duignan:** Again, my question is to the minister responsible for the GTA. Many people in my region are concerned about the future of the regional economy and their ability to find good jobs close to home. Is the issue of how land use planning relates to social-economic planning going to be part of the Halton study or other studies that the office for the GTA is—

**Hon Mrs Grier:** One of the reasons that I am pleased to continue the support for the planning exercise the region of Halton is doing, is precisely because of the kind of holistic approach to settlement patterns that Halton is taking, looking at the development of the area for the next 20 or 30 years. They are examining the feasibility of a number of growth options and how they can avoid continuation of urban sprawl and development of precious agricultural lands. They are also producing the kind of plan that takes environmental considerations into account and a long-term regional strategy.

The other aspect of their plan, which I hope other regions will follow, is that there is extensive citizen participation. It is the kind of planning structure and review that I know all of the regions in the GTA will need to undertake and that, as the minister responsible for the office of the GTA, I am very happy to support.

#### INTERNATIONAL TRADE

**Mr Kwinter:** I have a question for the Minister of Industry, Trade and Technology. During the free trade debate the then Leader of the Opposition, the now Premier, and his party vowed that they would fight the free trade agreement, that if they came into power they would not implement any of the provisions, and in fact they would do anything they could to thwart it. Notwithstanding that, they have already allowed many hundreds of permits for 54-foot trailers to go to the United States.

The Premier recently met with leaders of the Canadian steel industry, and they were complaining that they had a serious problem that could have a severe impact on the economy of Ontario. They found that imports of United States steel into Ontario and into Canada had gone from 6% to 15.1% in one year.

What has happened is that we are under a VRA agreement and we have a situation where—notwithstanding that I am sure the minister is going to say he has no control

over this, that it is federal—this government, as recently as yesterday when they were discussing free trade with Mexico, said that even though it cannot do anything about it, it was going to intervene. They were going to make alliances with entities in the United States—which they have not identified—but that they were going to do it.

The question I have for the minister is: Could he tell me if he is prepared to make representations to the United States on the VRA, and more important, and I really want him to give me a definitive answer, at what level would he suggest that be?

**Hon Mr Pilkey:** The member for Wilson Heights quite appropriately identifies the fact that I cannot alter the programs or the initiatives of the federal government. There are, of course, many times and many instances that I wish I could. There seems to stem from the opposition benches the fact that they bemoan any criticism or concerns or reality of the federal fact in these situations, and there are many circumstances there which we, as a province, cannot override.

It simply is not just the members of this government suggesting that; those in the House may have recently recognized comments from Doug Peters, who is with the Toronto Dominion Bank, who is our chief economist, who appeared before the finance committee of the House of Commons, who suggested that “the federal government’s singleminded attack on inflation will cause high unemployment, more bankruptcies and a stubbornly high federal deficit over the next few years.”

He was also joined by Mike McCracken, another well-known economist, who suggested that he agreed that inflation targets by John Crow which have been established to reduce inflation in 1995 by 2% would result in four to five more years of nonsense that we have had in the past decade. I would simply suggest that many of the problems that are facing the steel industry in Ontario, whether it be Algoma Steel or Stelco steel or whichever, emanate from policies enunciated and held by the governor of the Bank of Canada and supported by Michael Wilson, the federal Minister of Finance.

**Mr Kwinter:** It really is sad that we have a minister who supposedly has responsibility for the economic wellbeing of this province who does not even know what I am talking about. If the minister wants to talk about bafflegab, that response—I asked him a specific question. I said, “What level of VRA would you recommend?” and he totally ignored that.

**Mrs Sullivan:** He does not know what it is.

**Mr Kwinter:** I know that, but Stelco last year lost \$197 million; Algoma lost \$104 million; Dofasco has had to write down \$700 million worth of investment in Algoma. We have not seen their results yet, but it is going to be devastating. It cannot help but be that with the \$700-million write-down. We have one of the largest markets in the world to our south and all this minister has to do is get out of his office, go down, talk to the people. I have to say with some regret, and I say this and I am sure all members will join with me, that the leading spokesperson for the steel lobby, Senator John Heinz, was killed in an airplane



crash last week, and that is too bad, because he is the man whom, had I been in the minister's position at this time, I would have called on the telephone and said: "We have a problem here. You guys are taking our market and you're not allowing us into your market."

I ask the minister one more time: What level of VRA does he think would be acceptable? I ask the minister not to give me any of this baloney and not to show me that he can read. I want to know whether he can think.

1510

**Hon Mr Pilkey:** There are many responses, perhaps, to that, but perhaps I could answer quite simply. I believe that I, and this government, can think to a consequence that perhaps will not lead this party to a defeat in the next election. I hope we can, through the Ministry of Industry, Trade and Technology, move forward in a variety of circumstances that will result in a more successful conclusion than many that have been left from the previous administration.

#### GARBAGE DISPOSAL

**Mr McLean:** My question is for the Minister of the Environment. The minister said the search for a long-term disposal site for GTA garbage will not be conducted outside of the GTA borders. Her announcement would indicate that the Uthoff quarry in Orillia township will no longer be considered as a dumping ground for Metropolitan Toronto's garbage. Will the minister now order Ontario Hydro to abandon plans to dump ash from its coal-fired generating stations at the Uthoff quarry?

**Hon Mrs Grier:** I am aware in a general sense of the proposal the member raises. I am not, I am afraid, at this point in a position to tell him whether an application has been made for an environmental assessment of that proposal or where it stands within the ministry, but I will be more than happy to find those details and get back to him.

**Mr McLean:** There are three sites being looked at—Cayuga, Lincoln and Orillia—for coal ash to be disposed of at those three sites. The question is: The minister has indicated that the GTA garbage will not be disposed of out of the Metro area. Is the coal ash from the Lakeview generating station classified as garbage, so the answer would be, no, it will not be disposed of? That is the question the community is asking. Can coal ash still come to Uthoff, yes or no? My people would hope the answer is no.

**Hon Mrs Grier:** The announcement I made with respect to the GTA was specifically directed at this point to municipal solid waste. The issue of coal ash, its designation and the kind of approval process required before a safe disposal site can be obtained for that is done in quite a different way and is a different exercise and a different proposal. I will look into the details and be specific with the member as to where it stands with respect to the Environmental Assessment Act and Environmental Protection Act as soon as I can.

#### SEASONAL CAMPING TRAILERS

**Mr Waters:** As a follow-up to my question of 2 April to the Minister of Revenue regarding the Assessment Act and seasonal trailers, I wish to address my question to the

Minister of Municipal Affairs. A few days ago the Minister of Revenue pointed out that there were not going to be any changes to the Assessment Act which would affect the taxation of seasonal trailers. However, trailers that have been in the trailer park more than 90 days may be subjected to a permit fee, pending any changes to the Municipal Act. Is it the minister's intention to make changes to the Municipal Act to allow municipalities to apply for a permit fee for these trailers?

**Hon Mr Cooke:** I appreciate the interest that the member has shown in this matter in discussing this matter with the Minister of Revenue as well as myself. It is obvious that the opposition does not care about this, but most of us have received hundreds of letters over the last number of months about this issue. I want to assure the member that it is not our intention to change any legislation. We intend to, in this area, maintain the status quo, so the member's people can be well assured.

#### TORONTO TRANSIT COMMISSION

**Mr Ruprecht:** I have a question for the Minister of Transportation. As the minister will know, just yesterday the TTC made a significant announcement, namely, that it would severely cut service and employment, which led one important newspaper in Toronto, the Toronto Sun—do not laugh, please, to write that—this kind of reduction in service is playing Russian roulette with the city's future.

The minister has an important decision to make, whether to increase the funding that his government and his leader and he himself promised throughout their campaign. I will read the promise: "The New Democrats think the provincial share to the TTC should be increased substantially." Will the Minister of Transportation stand in the House today or make an announcement before 12 May that will be specific, a plan that will say to the TTC, "I, as minister, and the government are willing to increase funding so that no one is playing Russian roulette with the city's future"?

**Hon Mr Philip:** All of us who are concerned about public transportation, including myself, are concerned about the layoffs and the possible effects on ridership. The fact is that this year we have substantially increased our grants to the TTC. The operating grants this year are \$108.8 million in subsidy, which is an increase of 8% over last year. That is a substantial increase and is higher than the rate of inflation.

While the Liberals talk about job creation, their deregulation policies in the trucking industry have laid off hundreds of jobs in the transportation industry. They have got some nerve to get up here and talk about jobs in transportation.

**Mr Ruprecht:** Let me provide the minister with some important statistics that he may or may not be aware of. He realizes, of course, that Wheel-Trans, which comes under the jurisdiction of the TTC, has been rumoured to be going to have a reduction in service there as well, to the point where some disabled persons will not be able to go to the doctor or shopping or go to important events. Last year over 8,000 calls which were made to Wheel-Trans were turned down. This month, I remind the House, there will



be over 10,000 calls to Wheel-Trans which will not be answered, a reduction in service.

What I want to know is, when the minister says, "We're going to increase," when the minister says, "Oh well, we're going to keep our promise," is he ready to stand today and to tell this House that yes, he will promise that no disabled person is going to be left stranded on the sidewalks of Toronto? Is he going to make the commitment that no disabled person will be left stranded to the point where he cannot go to work, to the hospitals or to shops?

**Hon Mr Philip:** I have met with the disabled groups, I have met with the TTC, I have met with the representatives of the union which works with the disabled transportation and I can tell the member that we are committed to providing transportation for the disabled not just in Metropolitan Toronto but across the province. I will be making a major announcement in the near future.

I can tell him also, as the member for St Catharines knows, that the Pelee Island ferry, which the Liberal Transportation critic wanted to be built in the United States, will be accessible to the disabled as well.

#### JOB SECURITY

**Mr Sterling:** I have a question of the Minister of Industry, Trade and Technology. I understand that Boeing has now sold its Canadian de Havilland branch to a European interest. What are the minister and his government doing to ensure that jobs are safe and the research and development which has been undertaken by de Havilland will remain in Ontario and in Canada?

**Hon Mr Pilkey:** We are, of course, quite interested in having de Havilland remain as a fully integrated company, complete with research and development facilities, here in our Ontario. The agreement has been inked today, apparently, between Boeing, de Havilland and the Aeritalia-Aerospatiale consortium.

I have contacted Benoît Bouchard's office this morning to ask for a meeting with him immediately, so that we might go over the details of this offer. We have also invited the consortium to present itself at a meeting in front of the task force, which is chaired by Tim Armstrong, the deputy minister in my ministry, to review this particular circumstance. I can assure the member of our continuing interest to try to find a solution to the circumstances that will not allow a tremendous amount of unemployment at de Havilland, and will maintain a viable company to help assure the suppliers that produce product to de Havilland.

This item, of course, will go to Investment Canada, where it properly belongs. My ministry and myself will have that circumstance to be allowed to comment and I can assure the member we will do so in the interest of Ontario workers.

1520

**Mr Sterling:** While this sale has evidently been finalized today, it has been known for some period of time that Boeing was interested in selling its interest in de Havilland. The minister has been in charge of the Ministry of Industry, Trade and Technology for the past seven months

and his government has been there for a period of time. Can he tell me, in view of the fact that there was widespread public opinion that our aircraft industry was having a difficult time being competitive in producing aircraft and undertaking research and development in our country and in our province, what steps had he taken prior to the signing of this agreement to encourage the competitiveness of our aircraft industry in Ontario? What positive steps has he taken over the past seven months to ensure that those jobs will stay there now that the ink has been signed on the dotted line? What steps has he taken to make certain that the research and development will remain here? I want to know what he has already done, besides contacting Benoît Bouchard today. What has he done in the last six or seven months?

**Hon Mr Pilkey:** This industry is not owned by the government of Ontario. We have a circumstance where we have a privately owned company, Boeing, which took over de Havilland some years ago. I understand that the productivity of that particular plant has in fact been increasing. Boeing took a decision as a private company to sell that enterprise. As they cast around the world for a purchaser, they came up with Aerospatiale and Aeritalia.

On hearing of the concern as to what this consortium may wish to do to de Havilland in terms of reduced employment levels and shifting supplier bases, we involved ourselves, on a voluntary basis in trying to protect Ontario jobs and Ontario interests. We have continued to do that by way of our task force and through the federal government and any other way we can to ensure our interests. We will continue to do that. We will be made aware of the details of this filing with Investment Canada within the very near future and will try to involve ourselves, as I said before, in Ontario's interests.

#### ORDERS OF THE DAY

##### TIME ALLOCATION

Miss Martel moved resolution 16:

That, notwithstanding any standing order or special order of the House, in relation to Bill 4, An Act to amend the Residential Rent Regulation Act, 1986, one sessional day shall be allotted to further consideration of the bill in the committee of the whole House. All amendments proposed to be moved to the bill shall be filed with the Clerk of the assembly by 4 pm on the sessional day on which the bill is considered in the committee of the whole House following the passage of this motion. Any divisions required during clause-by-clause consideration of the bill in the committee of the whole House shall be deferred until following 5:45 pm on this sessional day. At 5:45 pm on this sessional day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House. Any divisions required shall be deferred until all remaining questions have been



put, the members called in once and all deferred divisions taken in succession.

That upon receiving the report of the committee of the whole House, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment. No deferral of any required divisions shall be permitted.

That one further sessional day shall be allotted to the third reading stage of the bill. At 5:45 pm on such day, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment. No deferral of any required division shall be permitted.

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**Mr Nixon:** On a point of order, Mr Speaker: I would like to bring to your attention that this time allocation motion, much to the surprise of those of us who have heard the NDP talk about these matters in the past, has been put forward with the minimum of notice possible under the rules. There was a time, Mr Speaker, which you may recall, when it was necessary for such an indication and notice to be in the Orders and Notices so that it could be read by the members of the House a full day before the government of the day brought forward the motion, which is a very sensitive and important one, one of particular importance in the democratic process, so that the members could review it before the matter came forward for debate.

Under our rules presently, sir, you will know and will have been informed, as I have been, that it is appropriate for such a notice to be laid upon the table before 5 pm the day previous. It disappears into the maw of the Clerkship and into the printing process and appears on the members' desks when an appropriate time is found, so that the members coming to the House see it on the order paper for the very first time.

**Hon Mr Hampton:** Who instigated these rules?

**Mr Nixon:** I gather the member's party did.

It might have been appropriate if the House leader had indicated to the other two parties what her intention was. Maybe she was just informed that was her intention a few minutes before 5 and simply went on about her business.

But I would say to you, Mr Speaker, that although I cannot bring to your attention that this is improper and inappropriate under our rules as they are and as they have been changed since you and I first had these matters brought to our attention, still it seems to me that in the interests of fairness, it would be appropriate if the government allowed the notice to be on the order paper one day so that members of all parties, but particularly the opposition parties, could look at it and get over their surprise that the NDP is resorting to time allocation and closure, something that they have deeply criticized both in this jurisdiction and elsewhere across Canada as something that was inappropriate and undemocratic. Then if the government, in its lack of wisdom, decided to proceed, at least the opposition parties would have had a chance to digest the complexity of this motion, look at the precedents and be

prepared to undertake an appropriate discussion as will eventually ensue.

My real argument, sir, is that in looking after the basic rights of the members of this House and recognizing what I have already said about the rules—I hope you agree with that—this surely should be postponed at least another 24 hours for simply the decency of giving the honourable members of this House an indication to prepare for an important discussion that is based on this really surprising initiative taken by the New Democrats.

**The Speaker:** Do any other members wish to comment on the point of order?

**Mr Elston:** I do. Surely one of the points that has to be considered, along with that of surprise which has ultimately come to afflict all of us, in the fact that it has prevented us from properly preparing for the debate which is being requested for today, is the element about the abuse that is being heaped upon the minority within this Legislative Assembly.

It is an argument which is often and most fully advanced, I guess, by opposition parties in a House which is dominated by the governing party's majority. In this situation it is quite clear that there has been very little time spent in this Legislative Assembly, in committee of the whole House, dealing with Bill 4, and in fact there was some difficulty in dealing with this issue even in committee, bearing in mind the material which was provided ably by the member for Dufferin-Peel and his question today to the leader of the New Democrats, the Premier, who ducked the question, who refused to answer on behalf of the government why it was that he was prepared to trample upon the rights of the members to express their concern, their apprehensions about the bill.

In some ways, it also prevents them from telling the public about some of the parts of the bill which they find acceptable. There are parts in here which are not to be condemned, but there are things that can be improved upon in a way and a manner the public appreciates and expects the members to appreciate, in a way that would make this bill more workable and a better piece of legislation for the province as a whole.

We do have a role and a task here of putting the case to the contrary point where we see that there are problems with abuse, where there are problems with a taking away of the rights and the abilities of citizens of the province in a manner which must be demonstrated is open and available to the members when they see it occurring. We have to be able to put those points and we have to be able to do it on each section of the bill as it is being observed.

I do not want to interrupt your discussions with the Clerk, Mr Speaker. I am prepared to wait until you are finished. Can I—

**The Speaker:** Yes. I was listening.

1530

**Mr Elston:** I am sorry, I did not think you were. You were in consultation with the Clerk and I—

Interjection.

**Mr Elston:** Okay. This particular matter, Mr Speaker, is fully within your hands at this very moment. The point



of order is with respect to the manner in which the members can prosecute their duties and obligations to their constituents, and indeed prosecute even a bigger duty, which is to the public of the province as a whole. There are certain things a member must stand in his or her place to deal with which transcend the duties that are dependent only upon his physical constituency. There are certain ways of doing business in this province which must be protected, there are certain ways in which the culture of this democratic society of ours must be upheld by the members, and when we see it necessary to speak out against it, we must fully speak out against it.

We are surprised that this event is occurring today. It could have been that while the Clerk's table accepted this motion, this resolution, from the House leader of the government party last night, the government House leader might very well have given us notice at the same time. It would have been no very big problem logistically to send a note to the leader of the third party or the leader of the official opposition or the House leader from the third party or the House leader from the official opposition to say, "Today, so that you will not be surprised and not be prevented from preparing your arguments with respect to the motion, we have laid on the table a resolution which will implement a process" described as the guillotine.

The guillotine is the most ruthless measure available to a majority government in this Parliament. It is the most final of all options available. It is the most unacceptable to the democratic process which we represent.

I agree that there are times when governments must proceed to do business. There is no question that they cannot be held up and hijacked by the minority. That business must be prosecuted goes without saying. I myself was in a position where many days were spent listening to the reading of telephone numbers by the member for Welland-Thorold. That member, now having departed from his cabinet post, I am sure will want to read some more telephone numbers when we deal with the government's version of its new insurance legislation. That will come another day.

But for today, it is enough for you to know, Mr Speaker, that while the Clerk received notice and while you received notice and while the government House leader had notice and her minister had notice and her Premier knew and the people who are members of the majority party knew, and perhaps even the independent member, although I suspect not, knew that this guillotine would be dropped upon the heads of Her Majesty's loyal opposition, we did not know and we could not prepare adequately enough to defend ourselves and also to defend the rights of the people, who expect good representation in this Parliament. If we are unable to prepare ourselves with precedent, with searching after the answers we seek as to why these people are able to proceed with this, then our debate will have been prevented from having been fully prosecuted.

I do not like that. But it does not matter whether I like it. It matters, Mr Speaker, that you, dealing evenhandedly, are able to stand in your place and say that there has been a fairness demonstrated in the way in which this debate has taken place to this point.

First of all, there was surprise, an attack in the night, as it were, a surprise for the morning. I must say that Mr Dee, who is a member of the House leader's staff, provided me with a copy of this at his first opportunity, which I think was about 10 minutes after 9 this morning, which was sooner than I would have gotten it otherwise, because it would have come to my office only by notice on Orders and Notices, I think around 10:30. He made the trip to my office at that earlier hour, but even that meant we were precluded from starting our search for precedent and other things which we could have worked at last evening and early this morning.

While it is important for you to know about the surprise element, it is important for you also to rule, Mr Speaker, about whether it is in order to jeopardize the rights of the minority.

This has not been here that long. This committee of the whole House discussion has not been going on very long.

**An hon member:** Three days.

**Mr Elston:** Three days.

**Hon Miss Martel:** Four.

**Mr Elston:** Well, the House leader from the government says four days. Four days, and there are important issues at stake for this society. The issue of expropriation is a matter on which some people would express their concerns about this particular bill. Is it fair, is it just that the views of the minority in this Parliament with respect to that important issue are held and prevented from being made openly in front of the people of the province?

My answer, of course, is no, that it is not fair in a society that sets up very, very long hearing processes to deal with expropriation of people's rights in other forums. It goes without saying, then, that this sort of bill presents itself as an interesting divergence from what has been traditionally the practice in the province of Ontario. To underscore that, it is necessary that we have our time on those clauses which point to an expropriation of people's rights. That is clear.

The issue of retroactivity is important for a lot of us who deal in the law and who deal in the law in so many other areas. We have always sought not to pass legislation in this House which had a retroactive effect. This one has such effect.

Sometimes we are pleased enough to introduce legislation that would say it comes into effect on the day it is first introduced; ie, if I introduced a bill for first reading on 1 October 1990, I might very well say, "This bill will come into force and effect as of 1 October." We do not see that as necessarily as difficult to deal with, because everybody has notice of the regime that is about to take place and we discuss the bill in the fullness of time and it will take effect on 1 October unless there is an amendment.

But when you deal with legislation that says, "We're introducing it today to take effect six months before," and people's affairs have been arranged in such a manner as to deal with the current legislative scheme and to comply with the rigid necessities of the legal framework of our land, then we say that creates a problem.



So it is necessary that the minority in this Parliament that stands with respect to the retroactivity of this legislation be allowed to take its place and speak openly against those clauses and to provide some kind of alternative to those clauses, because we respect the tradition of our society in that regard.

Those are two items.

We might want to also talk about the issues which affect agreements as between tenants and landlords, where people have come together to say, "This should happen with the building that we are associated with." This bill, of course, goes against those contractual agreements as well, because there is a very solid and firm set of principles set. This violates the principle of contract. Tradition in the province of Ontario has been a respect for contracts, and the minority should be able to speak to those clauses that prevent the fullness of contractual arrangements from being dealt with. It is an abuse of the rights of the members here not even to get to those clauses to express that concern.

I see you getting uneasy, Mr Speaker. You perhaps feel that I am going on too long in underscoring the problems which are associated with the traditions—

**The Speaker:** To the member for Bruce, it is not the length of time, but I would remind the member that the point of order which was raised was with respect to the notice provision of the time allocation. I very much would appreciate contributions by members to assist the Speaker in reaching a determination about whether this motion should go forward, and I would appreciate you addressing that subject.

1540

**Mr Elston:** Mr Speaker, I was just outlining some of the areas in which the minority in this Parliament wish to put their case, because we are charged with the obligation to deal with the changes this bill puts on our social and cultural context in this province. I was just going through those three very simple examples, very outstanding examples, of where we and our rights are being trampled upon by the government that refuses to let us talk to those. That was how I was dealing with the entire issue.

I will revisit my remarks, as I am sure you will when you consider this, but I really want to assure you, Mr Speaker, that there is real and legitimate work to be done on this legislation, and it must not be curtailed to the point where we have but one more day in committee of the whole House to study all of those clauses and one more day to deal with it on third reading, when there is an impossibility of receiving the answers that are required from the Minister of Housing and from his able assistant.

I agree with the Minister of Housing. I watched his parliamentary assistant yesterday performing here in the House and I noticed a desire on her part to do some real work on this bill and in fact to help process some changes into this legislation in a manner that would make it more fair. I have read some of her remarks; I listened to some of her remarks.

But surely if we are unable to put the case to the parliamentary assistant, knowing full well the Minister of Housing

is not interested in listening, knowing full well that we are unable to put the case, how is it that she is able to react to our intentions to make this bill work better, to make it work more fairly, and how are our rights and obligations to be protected?

When we get into this debate a little more fully and the substantive issues surrounding the merits of this motion, I will tell you, Mr Speaker, about the number of days and hours and minutes which passed in other legislative crusades, and I will let you be the judge later on, and the public, about how quickly this government has moved to curtail the free voice of the minority in this Parliament.

That will come later, but it is enough for you now, I think, to deal with the issue of surprise and the issue of notice, which allows for preparation—that is key—and then also to deal with the issue of whether or not the people who are members of my caucus and the people who are members of the third party caucus have been able and amply able to put their points of view on the various clauses—not just one clause or two clauses—and whether or not this guillotine motion, which is the most severe in our Parliament, can be used at this time.

If perhaps you think we should move much more quickly, maybe you would agree that there are other options open. That is not what this government is about. It is their way or the doorway, obviously. I think that you, as a fair-minded individual, Mr Speaker, I know once a member of that caucus but now removed from the despoiling effects of continual chatter around a caucus table, will know much better about fairness and about the need to protect the rights of myself to put the case, just as you need to protect the rights of the others on this side. I know that there are a couple or three people over on the other side of the House who, if they had a chance, would be willing enough to speak but who know what happens to people in the New Democratic Party if they speak out of turn and out of tune.

**Mr Stockwell:** What about Dr Henderson?

**Mr Elston:** The member for Etobicoke-Humber spoke his will with respect to our legislation and is still with us and is very active and participates fully in our caucus. The member for Etobicoke West knows that. The member for Etobicoke West is of course showing the difference between the Liberal Party and the New Democrats. The member for Etobicoke-Humber is still with us in his capacity, and became a parliamentary assistant. The member for Welland-Thorold was on his way out the door when he spoke out of tune. I just wanted to bring that to the attention of my friend from Etobicoke, who is an extremely able and otherwise intelligent individual but who sometimes forgets from whence the real facts have arisen.

I think, Mr Speaker, I will stop there, because I may have been about as much help as I can be to you, although we will see by the results of my remarks whether or not I have provided enough assistance. I am certainly open to any other requests from yourself or any other member of the House to provide my views on how fair or unfair this is. I just ask you, let us have some time to fairly prepare our case.



**Mr Sterling:** I do not want to be long in terms of supporting the point of order in terms of dealing with the notice of motion, but perhaps it points to a weakness in the standing orders in terms of what happens after the notice is given to the Clerk or filed with the Clerk. Is the first time we see it as members of the Legislature the next day, when something comes across our desks, or we receive a phone call from a House leader, or whatever it might be? I think it has to be taken somewhat seriously in that view.

The actual section says, "All notices required by the standing orders of the House or otherwise shall be laid on the table or filed with the Clerk of the House before 5 pm and printed on the Orders and Notices paper for the following day." I think this probably leaves the table in a bit of a predicament. When they have received this at 5 pm the day before, they do not know whether they are obligated or whether it is within their mandate to go to the opposition benches and say, "This has been or not done." I would suggest, in spite of the ruling you might make, that perhaps the Speaker be required under this section to give notice if the House is sitting on that particular day, or that the Speaker give notice to the other—well, we would have to be sitting that day if in fact it was going to be done the next day. I think the Speaker should give notice to perhaps the House leaders that it has been filed with him, if he or she is for some reason unable to give notice within the Legislature by 6 pm that evening that this has been filed.

I want to indicate that my colleague the member for Parry Sound also has a point of order, unrelated to the one brought forward by the opposition, with regard to whether or not this motion is in order, and he would like to speak to that after you have disposed of this matter.

**Mrs Y. O'Neill:** The point of order presented this morning certainly did take me by surprise. Open government—empty words; guillotine—it is not a very good fit, and that is what went through my head. I take this motion as being arrogant. It is a sad commentary on what I know and many know as a bad bill. It is an abuse of majority government. We are limiting debate on a bill that is not fair. It is retroactive. It has had incomplete public hearings. More people have been turned away from expressing a viewpoint on this bill than were received, and in every instance this bill is controversial. It has been the focus of two major marches to this Legislature, the only bill that has received that kind of attention in this province, so we are shooting down debate from the floor of this Legislature, while we are still listening to and discussing the very first amendment presented by my party. I feel this is an infringement of my rights as a member of this Legislature. The NDP government is acting exactly like the Mulroney government, "It is either our way or the byway."

**The Speaker:** Any other members who wish to be of assistance on this matter? No? Did the government House leader wish to contribute anything to this?

**Hon Miss Martel:** I would like to speak last on behalf of the government, and I am not sure if the—

**The Speaker:** No other members have offered to speak.

**Mr Eves:** I have a different one.

1550

**Hon Miss Martel:** A different matter? Then I will make a number of points with respect to the comments I have heard thus far, and members can use these in their deliberations.

The member for Brant-Haldimand has said that the real argument here is the question that surely this matter should be postponed, because in fact the opposition members did not have a chance to see this until this morning and it came as an utter surprise to them.

Let me respond in as frank a manner as I can. That is really hard to believe. The fact of the matter is that last Thursday I made it very clear to the House leaders that I would like to know when we could finish with this matter. I felt, and I said very clearly to both parties, that a great deal of time had been spent, that it was my opinion as government that we had had the fullest debate we were going to have and when they thought they were going to finish.

It was clearly told to me that the government would have to do what the government had to do. That was a pretty clear signal to me, and I think everyone around the table understood what that meant. What it meant very clearly was that the issue would be forced and we would have to bring in a time allocation motion.

I know, for example, that the Liberals sat here on Thursday night because they expected I might even get up and move that we sit beyond 6 o'clock, as was done to my colleague the member for Welland-Thorold some time ago. So there is no doubt in my mind that people were very much aware this was coming. I have the greatest faith that Liberal research, in very short order, could gather enough information to come into this Legislature and place its points with respect to points of order.

I see that the member for Parry Sound came into this assembly this afternoon and had comments from the former House leader for our party, who is now the Minister of Housing. His research staff certainly had enough time to take a look at the motion and respond to it. He came here today and used comments we had made in order to place his question.

Second, I think if we were really going to be frank—and I am trying to be as frank as possible—it is a little hard for me to accept that this was a total surprise and that we have never seen anything like it. If the truth were told, we copied the Liberal motions for time allocation and that is what we have presented here. So this is nothing new to the opposition parties. This is nothing we have not seen before. This is something that members are certainly very much aware of and knew was coming. I find it hard seriously to stand here and accept that either they did not have enough time, did not know it was coming, or the research staff were not competent enough to get something together in four hours this morning, which I am sure they are. So I cannot understand this.

Mr Speaker, I have to say to you that in my humble opinion, we did meet the standing orders. We have provided the notice of motion within the time allotted under the rules of this House, and we were in fact in under that deadline. There was no doubt in my mind that everyone



knew this was coming. It was made very clear to people last Thursday; they had the utmost time to prepare, and I again point to the member for Parry Sound who did have time to prepare on this particular motion.

I want to say that in fact we are not making any progress on this particular matter. The member for Bruce stated that yesterday the parliamentary assistant for the minister was very progressive and progress was made on this bill yesterday afternoon. The parliamentary assistant has said clearly to me, "We didn't even get through an amendment yesterday afternoon," and that was day four of this debate.

So I say to you, Mr Speaker, that we put the notice in under the deadline with respect to the standing orders. People were very much aware this was coming. I have no doubt the research departments on both sides could have put something together. They could only have gone back, as we did, and looked at the three other debates we had in the last Parliament and got their arguments from there.

Mr Speaker, I submit to you that we should proceed with this motion. It is in order and we would like to get going on it.

**Mr Mancini:** We are not very happy with what the government is trying to do. This matter was referred to the standing committee on general government late last fall. We were told at the standing committee to make up a schedule for hearings. As Chairman, I presented a schedule to the committee for approval which was approved at the time and then changed. Then the government's green paper got involved with Bill 4 and needless to say, the time we thought we were going to get in committee we did not get because we were given two jobs to do instead of one. We co-operated with the minister and with the House leader's office, because they said their green paper was of vital importance.

The reason I am making this point, Mr Speaker, is to show you that we did not get all of the time we thought we were going to get in committee. This is a major piece of legislation that deals with the issue of retroactivity. Retroactivity from Bill 4 is going to bankrupt thousands of people who undertook repairs to their buildings when it was legal to do so.

Today we have a situation here in the House where we were not only denied the opportunity to hear everyone who wanted to be heard in committee, but now we are denying the members themselves the right to be heard in the Legislature. Mr Speaker, my case to you is that we have consistently been cut back on our time for this important legislation, not only here in the House but in the committee, so there is a pattern that has developed around Bill 4.

All we want from the government is an opportunity to properly debate a bill which is affecting thousands of Ontario citizens, many of them adversely. What the government is trying to do is unfair. It goes directly against everything it said prior to 6 September last. We heard quotes today from the honourable minister when he was the House leader of the official opposition and how he felt about closure, and I submit to you, Mr Speaker, because we did not get our time in committee, because we are not getting our time now, that the motion the government has put forward is in fact an injustice and goes against the

opportunity of all members of the Legislature, particularly the members of the opposition who have a great deal to say and who have a great responsibility to bring the other point of view to the government.

**The Speaker:** The matter before the House is a substantive one and I take quite seriously the point of order raised by the Leader of the Opposition. The very reasoned argument that was presented is one that causes me some concern. I appreciated the contribution by the member for Bruce and of course the member for Carleton, as well as the government House leader. I will take this matter under advisement. I will report back to you tomorrow.

**Mr Eves:** A point of order, Mr Speaker. I have another point of order to make on the same government notice of motion. My point of order is based on the fact that I would ask you to look into whether the government notice of motion infringes upon the rights of the minority in the Legislature. I would refer you to page 1 of Erskine May, which is always a good place to start.

**Mr Nixon:** Page 1?

**Mr Eves:** Page 1. Some people do not want to start on page 1, but I prefer to start on page 1. It is a long book and this may take a long time; I am not sure.

Erskine May says on page 1, "the purpose of many of the rules is to safeguard the rights of a minority of the House: to guard against the development of an 'elective dictatorship' which some have predicted." It goes on to say further on page 1, "Above all, the balance between the right of governments to obtain their business and the right of the House as a whole to examine it...is maintained through the discretionary powers given to the Speaker."

Chapter 19 in Erskine May at page 400 says that closure and time allocation motions, often referred to as guillotine motions, "are felt to be an unfortunate necessity and to be justified only by the pressure of business or to counteract obstruction." On page 406 Erskine May says, "The intervention of the Chair regarding closure is restricted to occasions when the motion is made in abuse of the rules of the House, or infringes the rights of the minority." It is this infringement of the rights of the minority upon which I am speaking here this afternoon.

On page 410 Erskine May says, "An allocation of time order is not usually moved until after the second reading of a bill, and usually not until the rate of progress in committee has provided an argument for its necessity." I do not think the government can make that argument very well in the case of this particular piece of legislation, Bill 4.

1600

I am looking at several other pieces of legislation that have received time allocation treatment in this Legislature over the years. While the government House leader points out that there was some time on four separate sessional days spent on Bill 4 in committee of the whole, the total up to today, I believe, in committee of the whole in this Legislature is 10 hours and 33 minutes. I do not think that is a great or inordinate amount of time on a very significant retroactive piece of legislation in the province of Ontario.

The total time in the House, the time for second reading debate on this significant piece of legislation, was only



some eight hours and 36 minutes. That means that the total time we have spent in the House on second reading debate and committee of the whole combined is just over 19 hours; 19 hours and six minutes, to be exact.

When you compare that, for example, to the Bill 94 debate which took place in this Legislature in 1986, second reading debate alone, Mr Speaker, was 36 1/2 hours, almost twice as much as the total combined times of this piece of legislation. Debate in committee of the whole on Bill 94 was 26 hours, as compared to 10 that we had with respect to this piece of legislation before us here today, of which, of course, this time allocation motion is the subject. Bill 4 is referred to and being dealt with by the time allocation motion before us today.

I think that your role as Speaker, with all due respect, Mr Speaker, is to make sure of the balance between the right of government to obtain its business and the rights of the minority. If the government can demonstrate that the opposition has been unduly obstructionist, that we have spent an inordinate amount of time on this piece of legislation, then I would quite agree that the time allocation motion as presented should go forward. However, I do not think that is the case here.

We have spent just a little over 10 hours in committee of the whole, and we have spent only eight hours in second reading debate. When you compare that to the time that was spent on Bill 94 debate, for example, in either one of those stages, the amount is about a third. I do not think we are asking much as a minority in the Legislature, to stand up and offer some constructive criticism, and in this case amendments, to a piece of legislation that we think is very seriously flawed and takes away some people's rights in the province of Ontario. Not only that, it does it retroactively to boot.

Beauchesne says that the principle that lies at the basis of English parliamentary law is to protect the minority and to restrain the improvidence or tyranny of the majority. Beauchesne goes on to say that privilege is the sum of peculiar rights enjoyed by the House and by members individually, without which they could not discharge their function.

As I have said, a very significant number of amendments have to be put with respect to this piece of legislation in committee of the whole. I believe we have only discussed two or three amendments to date. I know, speaking on behalf of our caucus, that we have not been able to introduce our amendment with respect to the retroactivity part of this significant piece of legislation. That is a very significant, perhaps the most significant, part of this legislation indeed, because it retroactively reaches back and takes away some people's rights in the province of Ontario. I think we should not move as legislators to do that except under the most unusual circumstances indeed, if ever.

The government House leader talks about whether the other two parties, and in this case the opposition parties, were surprised by the time allocation motion that she has presented here today. She relates to last Thursday's House leaders' meeting, in which she indicated that she asked whether we could be through committee-of-the-whole

stage by this past Monday, two days ago. She is quite correct when she says the retort that she got from the opposition was that no, we did not think we could finish committee of the whole by Monday. This is a very significant piece of legislation. There are many amendments that have to be brought forward. There is no way that those amendments could have all been dealt with by 6 o'clock this past Monday, two days ago.

What the government House leader did not relate to the other members is that at the same House leaders' meeting, the House leaders, all three of them, agreed—in fact it was at the request, as I recall, of the government House leader—that yesterday, Tuesday, be spent on very important and significant Attorney General pieces of legislation that had to be dealt with.

I indicated on behalf of our caucus that we had not caucused these bills yet, that we would be happy to do so on Tuesday morning so that we could accommodate the government and accommodate the Attorney General and proceed with those pieces of legislation. That is exactly what we did, only to be finally told by the government House leader's office around noon—there had been earlier discussions during the morning—that unfortunately the agreement we had, that the government House leader requested, that we deal with the important pieces of legislation the Attorney General had, was going to be put on the back burner so we could do committee of the whole on Bill 4 yesterday afternoon, Tuesday afternoon.

Now I think we find out that the only purpose for that request was to give some cannon fodder to the government House leader to introduce the time allocation motion on Wednesday. I think that was the only purpose whatsoever in requesting that the important Attorney General's bills, which the government House leader had requested be dealt with, were all of a sudden now not so important after all.

One might almost think that the Minister of Housing had more to do with the ordering of the government business yesterday afternoon than the government House leader did. I think the Minister of Housing probably had some influence on his House leader and wanted to get on with the messy business of introducing time allocation or closure in the Ontario Legislature.

I find that to be rather unusual indeed, especially in light of the individual from whence it is coming—the Minister of Housing, who of course used to be for a significant number of years the House leader for the New Democratic Party when it was in opposition. I must say that I have every faith in the Minister of Housing's ability as a House leader. He was in fact a very good one. I think it may help you in your deliberations to hear what he thinks about time allocation motions and their place in the Ontario Legislature, because on 3 April 1990, almost a year ago to the day—we only miss by a week—the Minister of Housing, when he was government House leader, stood in this place and said, "I would suggest"—

**Hon Mr Cooke:** I was not government House leader.

**Mr Eves:** House leader, sorry. "I would suggest" time allocation "is incredibly unfair. It will result in the process not holding the government accountable." He went on to



say on the same day that, "this government, the majority party in here, is prepared to do anything to the standing orders in order to get its legislation through, even if it means changing the routine proceedings that we normally go through."

On the same day, in the Bill 68 auto insurance debate, which is where these quotes come from, the Minister of Housing was talking about what would be the appropriate time, if he ever had to introduce the time allocation motion, how much time did he think would be reasonable before he had to bring it in.

In this case he was talking about a filibuster during one stage of the bill. The government House leader has just told us that parts of four days have been spent in committee of the whole. Well, she is sitting across the aisle from the Minister of Housing. He thought a year ago today almost, "If the member thinks five days is a filibuster, then he has got something to learn about proper procedures and the role of opposition parties in dealing with controversial items like this."

1610

The Minister of Housing thinks that five days is not anywhere near enough time to start introducing time allocation motions for one stage of the bill, and now we have his government House leader standing up saying: "We have spent parts of four days on this, and we have got to get on with it. We need closure or time allocation to deal with this piece of legislation."

It might also help the Speaker—although I am not suggesting for a moment that the Speaker may be influenced by what the Premier of the province thinks—to know what the Premier thinks about time allocation motions.

From 8 December 1982, shortly after he arrived here, as I recall, a quote from the Premier during a time allocation debate: "It is not, I believe, open to the government to move a motion of closure unless it has the specific authority to do so from the standing orders of the Legislative Assembly. It does not have that authority. There is no mention anywhere in the standing orders about the allocation of time, and the government does not have the authority to move that kind of motion."

Well, I guess the Premier of the day, who was then the Leader of the Opposition, could use that same rationale and those same words to speak out against his own party's time allocation motion here in the Legislature of Ontario this afternoon. Presumably his principles and his commitment to the democratic process have not changed, and presumably he still thinks that time allocation has absolutely no place in parliamentary democracy or in the Legislature of Ontario. I am talking about the Premier.

On 13 July 1989, another piece of legislation to which the current Minister of Housing, the then House leader for his party, objected: This time allocation motion, if you peruse it, has reference to deeming amendments that have not been able to get on the floor during the time prescribed in the time allocation motion, deeming them to have been moved and passed anyway. In other words, they do not even get discussed. They do not even get on the floor. They are just tabled, if somebody wants to table them, and they are deemed to have been dealt with.

I want to read to you some advice from the current Minister of Housing, who says: "The Speaker must consider what this precedent would mean to the future of the Ontario Legislature. Deeming that amendments have been moved when they have not been moved makes a complete farce of the legislative process. Deeming that amendments have been moved when they have not been moved or debated destroys completely the role of the opposition and any accountability the government has to the members of the Legislature."

That is what the Minister of Housing thought about these deeming provisions in the time allocation motion on 13 July 1989. He did not think it had any place whatsoever. He thought it was most inappropriate in the Ontario Legislature that anybody would even think of such a motion being introduced.

I could go on at some length with quotes about what the current Minister of Housing and former House leader, and indeed the Premier of the province, think or have thought in the past about time allocation and closure motions, but I think I will spare both yourself and the other members as well as members of the public from reading all these quotes. Suffice it to say that the message is the same. They felt very strongly, always have felt very strongly, until today, that time allocation and closure have absolutely, under any circumstances, no place on the floor of the Ontario Legislature.

They have always thought that. Oh, except for, perhaps—now, what debate was that? Bill 94, if my memory serves me correctly, was the only time they thought it was appropriate, when second reading debate was 36.5 hours and committee of the whole debate was 26 hours. We have not even got a third of the way there yet in either category, so I would ask you to take that under advisement as well, Mr Speaker.

There may be times, quite frankly, when time allocation and closure are appropriate, but what I am suggesting to you is that this is not one of them; that this motion is somewhat premature and by being somewhat premature and not permitting members of the Legislative Assembly to raise their amendments in committee of the whole, in fact this motion is infringing upon the rights of the minority of the members of this place. So I would ask you to consider very carefully before you rule this time allocation motion to be in order, because I think it does strike right to the very roots of our parliamentary democracy.

**Ms Poole:** I would like to support the very eloquent words of the Conservative House leader on the infringement of the rights of the minority. That is what the government is doing with this motion, and I support the Conservative House leader in his argument that that motion is out of order because it does infringe on the rights of the minority.

The NDP has set a very dangerous precedent with Bill 4 as to how the government intends to operate. Their infringement on the rights of the minority did not start with this closure motion; it started with their whole conduct in Bill 4. Eleven and a half days in committee, despite a number of motions supported by the Conservative and Liberal parties to extend hearings so that the rights of the



people of this province would be protected; they did not listen.

I cannot believe the arrogance in their saying, "Yes, there are 150 people on the waiting list, but no, we are not willing as a government, we are not willing as a Legislature to listen to them." Those people were the minority, but their rights were abused, and now it continues with this closure motion. If I can paraphrase a quite famous saying by Patrick Henry, he said, "I may not agree with what you are saying, but I will defend to the death your right to say it." That is something—

Interjection.

**Ms Poole:** My colleague has just said that was Voltaire.

**Mr Sola:** A questionable source.

Interjection.

**Ms Poole:** But my colleague from Oakville has said I am right, so rather than get distracted in this debate over whether Patrick—the Speaker has upheld my ruling. It was Patrick Henry who said it. Sorry, I say to the former Attorney General.

**Mr Scott:** First mistake I made since I came here.

**Ms Poole:** I think that is taking away somewhat from my point, which was that we do not necessarily have to agree with the points that a person or a group is making in order to support its right to put forward its position, and that is what I say to members today. I am disappointed that the Minister of Housing has not stayed for this debate.

**Hon Miss Martel:** He is right there.

**Ms Poole:** He is right there somewhere, somebody said.

**Mr Sola:** He's talking to the opposition, the third party.

**Ms Poole:** He is over here talking on the opposition side. Perhaps he is crossing the floor. He too cannot tolerate this closure motion because he knows it infringes on the rights of the minority. It was somewhat strange that a year ago the Minister of Housing, who was opposition House leader at the time, had quite an eloquent statement on closure and on the rights of the minority. On 3 April 1990, the same date that was quoted by the Conservative House leader, he said:

"Clearly, the government wants to shut down debate on this bill for political reasons. It is up to the Speaker to protect the rights of the opposition parties to have proper debate on controversial items that are before the public. They are using their majority to muzzle the opposition. There is no other way of describing it, Mr Speaker."

This was the Minister of Housing just one scant year ago, when he was opposition House leader. My, the times have changed, because that was then and this is now.

Then on 3 January 1989 when he was talking about closure on Sunday shopping the minister said: "Time allocation, I think it is a sad commentary on this government. It is a sad commentary on a majority that is more and more removed from the people of this province."

He went on to say: "I think what this government has done is use its majority to force these bills on an unwilling

Legislature, which is very clear. But more important than the Legislature, the government is using its majority to force these bills on an unwilling public."

1620

Again, it comes down to a matter of trampling on the rights of the minority, and this from a government that was elected on a promise to be consultative, to be open, to be accessible, all these fine things. The Solicitor General today, the member for Cambridge, once upon a time believed that this was important. Back in January 1989, he said, "Why would the government force closure?" It is an interesting question, especially for a government that wants to be perceived as open and accessible, that campaigned on the premise that it was open and accessible. Why would this government call for closure?

I am afraid those words from two years ago can be brought forward again today. They can be brought forward today but with far more justification in 1989 than today, because in 1989 we were talking about the issue of Sunday shopping. In 1989 Sunday shopping had been before the committee for six months—50 days of discussion in committee; 50 days, six months, plus all the debate in the House on Sunday shopping. But members cannot say that is true today. Eleven and a half days in committee and public hearings: That is what they offered us, and now they say: "I'm sorry, you have one day, only one day, in which to put forward all your amendments. No debate, no discussion, get them on there and at the end of the day those amendments will be deemed to be passed."

I find, as a member of this House, that that is totally unacceptable. We have minority rights not only as an opposition party here, but there are minority rights of the people out in the rest of the province that we are protecting. The way we are going to protect them is to say to the government, "Examine your own consciences as to whether this closure motion is in order and you will know that it is not."

It is very clear that they are violating those rights, but do they care? No, the government members do not care. They think it is amusing. I see a lot of smiles over there and I think it reinforces my point day after day that this is not the New Democratic Party, this is the non-democratic party. Harsh words, yes. The Minister of Natural Resources looks quite crushed and hurt, but they are true. So when members go home tonight, they should ask themselves, can they sleep knowing that they have changed their positions, the NDP position on closure?

**Hon Mr Cooke:** You opposed the bill on second reading. Don't talk to us about consistency.

**Ms Poole:** The Minister of Housing quite rudely interrupted what I was saying to bring up an entirely different matter, but since his words are now in Hansard, I feel that I do have to address them. He said our party has not been consistent.

The minister knows as well as I do that on second reading we are voting for the principle of the bill, and I have explained on numerous occasions, should he care to listen, why we supported his party—at that time they were still calling themselves the New Democratic Party—on



this bill. But we did say that there were serious flaws that we intended to draw out during the public consultation period, during the public hearings, and to try to redress through amendments.

Now it really disappoints me that time and time again the Minister of Housing denies that the Liberal Party has been co-operative throughout this bill. Back on 28 November he said that he wanted to solicit the views, the advice and the assistance of all members of this House, and we have given that. The Liberal Party has said consistently from day one that our message was, "We are willing to support you on this legislation, but only if you make it fair and balanced, only if you do not infringe on the rights of the minority."

**Hon Mr Cooke:** We haven't been infringing.

**Ms Poole:** The Minister of Housing should learn not to bait the bears. It just prolongs the debate and we certainly want to get on with it.

Interjections.

**Ms Poole:** It is quite interesting how the perspective changes. The Minister of Housing, who implied that he was going to have a very full consultation period across the province—he has said it time and time again—suddenly turn that consultation process across the province into a mockery, a travesty and a sham.

**Mr Elston:** Well, at least he's consistent.

**Ms Poole:** As my opposition House leader has so eloquently said, at least he is consistent in that one area, but unfortunately, when something is a mockery, a travesty and a sham, it is not much of a case for consistency throughout his policies.

I would put to the minister that, if he is going to infringe on the rights of the minorities in this, his first major bill before this House, woe betide him for the rest of the time, because he will find that government gets harder, not easier and once he has infringed once, it is that much easier to do the second time around.

The minister may feel that it is fine to stifle debate, but the people of this province will be heard. They will be heard through demonstrations like yesterday's, which were quite demonstrative of how strongly feelings are running on this particular issue. But in the final analysis, the minister is destroying his own credibility by denying the opportunity for debate. Of those 10 hours that we have debated Bill 4 in committee of the whole House, I would ask the minister to go back and look at how many of those have been via the Liberal caucus.

We have been most responsible in this debate, we have kept our points to the issue, and I would be surprised if we have taken more than two hours of that 10-hour time period in the debate. We were not trying to stall the bill, but the minister did not listen. He did not want to hear what we had to say. As he said to me one day, "Dianne, the problem is, if you keep getting your message out too many times, people are going to begin to believe you."

The minister does not want them to believe me when I say that the amendment on retroactivity is unfair, unbalanced and undemocratic, again a case where the rights of the minority have been infringed upon for pure political

motivation. They had to show the tenants of this province that they were prepared to hammer the landlord, that they were prepared to use this as an example of how they were keeping their election promise, because they knew in the final analysis, they could not keep that promise they made during the election, because it was unwieldy, it was unworkable, it was too simplistic and it was for pure political motivation.

But they also do not want to listen to our amendments on capital repairs which many tenants in this province are supporting, which the renovation trades, which are in dire straits right now because they are out of employment, are supporting, which this party should be supporting because of the fact that we could get workers back on the job, give them employment, give them security, give them the rights that they say in the NDP they support.

They could do that. They could do it by agreeing to the Liberal amendment, which is balanced, which protects tenants, which has a cap on, which refers to ongoing neglect in the building that can be used as a defence for the tenants as to why that landlord cannot get that cost pass-through to quality of repair. They could very easily have agreed to that. It is a very pro-tenant amendment. But their attitude was: "We are the government. The opposition is in the minority. Why should we give them any credibility for any ideas, any creativity, any ability to solve a problem?" So they refused to listen to that.

The final infringement of rights came in their utter disregard of what tenant after tenant came in the committee hearings and told us about the state of their buildings, about the state of maintenance, and again, the Liberal Party offered a very pro-tenant amendment which used the standards board—already in existence, no new bureaucracy—to give the tenants an immediate relief, not to go through a rent review system and wait another year but immediate relief, if they were not having work orders in their buildings attended to. Again, rejected by the government, and why? Because we are the minority.

1630

**Mr Sterling:** On a point of order, Mr Speaker: I understand that this is a very important issue to this member but I really wish we could stay to the point of order, and we are not talking about the issue. We will have the opportunity to talk about that, perhaps, when the motion is put.

**The Speaker:** I appreciate the member for Carleton's point. I have listened very carefully to the member for Eglinton and, quite frankly, she was straying slightly from the point of order that was raised by the member for Parry Sound, who questions whether this motion is, in fact, in order. Perhaps the member could get back on the path.

**Ms Poole:** I think, quite frankly, that I was speaking to the point of order.

I am really puzzled by the interest of the Conservative Party in my speeches. Every time I have spoken in this House on Bill 4, one of them has interrupted my speeches, usually to assist me, either on a point that there was not a quorum when indeed there was, or that there was not enough respect for the member for Eglinton because people were not listening attentively, and this was when they



were. It is an odd thing to have happen in this House, but it does happen from time to time. I am wondering if they perhaps do not want the member for Eglinton to have a chance to put her viewpoints on the record. Such an infringement on the rights of the minority in this House should not be tolerated.

To go back to the point I was making: People in this province have rights. They have rights to be heard. They have the right to be empowered so that their feelings can be expressed through their government representation, but that is not what is happening here. The rights of those minorities, whether it be the small landlord who is going bankrupt, the person who is working in the trades and supplies industry and finds either that his business has just gone out of business or that his job has just gone down the tubes because he or she has been laid off because of Bill 4, their rights have been violated.

This closure motion is one more step towards taking democracy and rights away from those people. They have a right for their case to be presented, and I cannot understand a government, which purported to be a democratic party, which purported to believe in consultation and open and accessible government, on its first major bill bringing in closure after 11.5 days in a standing committee and after four days of debate in the House. I cannot understand it.

I wish the government House leader would perhaps tell us why she considers this not an infringement on the rights of the minority and why this closure motion should go forward. I think the member for Parry Sound raised a very valid point of order and I would certainly support him that the rights of the minority are being infringed.

**Mr Sterling:** I intend on approaching or just talking about the body of the motion. In concert with the member for Parry Sound's objection that it infringes on the minority, I want to talk about the minority of one, or a member of this Legislature, and how this motion, in my view, and the way it is set out infringes upon actually myself in terms of this bill, because within the motion it requires that after the motion is passed, the committee of the whole House would be completed at a quarter to six, or 5:45, of the same day that the motion was heard. So there would be from somewhere around 4 o'clock to 5:45 to consider all of the amendments which had been laid on the table. It might be another half hour, I might be out by half an hour, but the same point I am going to make would hold. All of the amendments which would have been laid on the table would be considered at 5:45.

Now, I have put on the table an amendment to Bill 4, to one of the later sections of the bill. We have at this time heard, I believe, two amendments to Bill 4, and by lumping all of the amendments together and considering them at 5:45, in effect the motion never allows me to plead the case for my amendment in this Legislature. Therefore I would perhaps ask the government House leader that when these kinds of motions are framed, they should take into consideration not only the whole process of what is left to be considered in the committee of the whole House but they should consider the fact that there are a number of amendments that have been placed on the table and that

they should be given equal opportunity to have a time frame to be debated in the Legislature.

So the way that particular part of the motion is framed does, in fact, infringe on the minority of the House, in that the normal procedure is for the Chair to recognize the official opposition's amendments and then go to the other, if in fact they are dealing with the same section, or to go down section by section. But it does not really give equal hearing to a member who has interest in the latter sections of the bill to have his case heard.

What I would suggest perhaps, or would have liked to have seen, is that the committee deal with the amendments that have been tabled in equal time frames or as agreed by unanimous consent of the House. In other words, if in fact no one has an interest in presenting an amendment to a later section, then you could proceed as you might and just consider the amendments in the normal order. But once closure is introduced and the motion takes effect, then in fact within that motion you can have a very detrimental infringement on the rights of an individual member to have the minister hear his arguments about a particular section that he has an interest in and has taken the trouble to table an amendment to that section. So I would ask that you perhaps consider that when you are ruling on the matter raised by the member for Parry Sound. I do not believe that that point has been raised in his arguments or other arguments.

**Hon Miss Martel:** I have listened very carefully to the comments placed by the members in the opposition. I have two points to respond to what I have heard, and then I have some of my own remarks to place in argument as to why this motion should proceed and why it is in order.

First of all, with respect to what was said by the member for Parry Sound on a small point, he talked about the fact that in a debate which occurred in this House on 3 April 1990, my colleague, the now Minister of Housing, was quick to point out that five days was not a filibuster and if the member at that time, Mr Ballinger, had thought it was, then he had something to learn about proper procedures. I would point out that he then tried to refer that back to committee of the whole and suggested that four days in committee of the whole was in fact not very much if my colleague could argue that it was five days. I point out that that was five days' debate on second reading, not committee of the whole, and I will get to the point of how long we have spent on second reading, how long we have spent in committee of the whole, how long we have spent in committee on the road, in due course.

Second, just a small point: I would say that the argument that was used by the member for Brant-Haldimand was that in fact this came as a total surprise on the heads of the opposition party and they did not have time to prepare anything. I have just heard the member for Eglinton go on at great length, using quotes from speeches that were made in this House before—and I would commend her research staff because they put something together rather quickly. I suggest that the arguments that were raised by the member for Brant-Haldimand were facetious at best.



1640

I want to make a couple of comments and put forward my arguments on behalf of the government as to why we are moving this time allocation motion.

First, it has been suggested by both opposition parties that this is a closure motion. I would like to read into the record what in fact a closure motion is and tell the members of the House very clearly that this is not what that is. Section 45, page 19, of our rules, I would point out, states, "A motion for closure, which may be moved without notice, until it is decided shall preclude all amendment of the main question, and shall be in the following words: 'That this question now be put.'"

I say to the members who are here, we are not moving a closure motion here today. I do not want the question to be put. We are going to allow for further debate on this bill, but we feel that we have given more than enough time for the opposition parties to deal with it and that in fact we have not infringed upon the respective responsibilities of the minorities in this House.

Mr Speaker, what we are doing, though, is that we have moved yesterday, under the rules of this House, to put forward a substantive motion, and we would like you to deal with this as previous Speakers have done in this House. I quote:

"46(a) A substantive motion is one that is not incidental to any other business of the House, but is a self-contained proposal capable of expressing a decision of the House. Examples of such motions are: the motion for an address in reply to the speech from the throne, the budget motion, want-of-confidence motions on allotted days, resolutions, motions for returns or addresses, and motions for the appointment of committees."

I would also point out to the House that the former Speaker, on 23 January 1989, ruled that this list was not exhaustive, and that is why we are moving this particular motion under that section of our standing orders today.

I want also to put on the record that this motion is one in a line of motions that have been presented in this House beginning in 1982. It is not a precedent that we are setting here today. In fact, we have quite a history of time allocation motions being moved. I would like to go back and just point out what those might be and make clear to all the House what is happening.

Under the Tories, there were three time allocation motions: the first on 8 December 1982, on Bill 179; the second on 15 February 1983, on Bill 127; and the third on 25 June 1984, on Bill 142. On 19 June 1986, there was a motion that was put by the Liberals. We supported that time allocation motion. That would be the debate on the ban on extra billing. In the last Parliament, under the Liberals, three time allocation motions were placed: the first on 23 January 1989, on two bills that moved together, Bill 113 and Bill 114; the second on 17 July 1989, closure on Bill 162; the third on 3 April 1990, with respect to Bill 68.

I point out that we have had a history in this House of these particular motions. Every Speaker who has had to rule on the time allocation motions has ruled that they have been in order. I would point that out to you, Mr Speaker, to bear that in mind, if you might, when you make a decision

as to whether or not they are in order. In fact, if you look at every other motion that has been moved with respect to time allocation, clearly they have been within the established practices of this House and clearly every Speaker has ruled in favour and allowed the motion to proceed.

I would like at this point to take some time to look at this particular motion and the facts behind it.

Let us look first at the perspective of time, the time indeed that has been spent on this particular bill. In standing committee itself, during the break, when the hearings took place, 96.5 hours were spent dealing with this particular bill, and that was only up to 21 February. We are still missing from our list and our times 26 February, 27 February and 28 February. So the time was well over 100 hours spent during the break dealing with this particular bill.

When the bill was reported back to this House on 18 March, we spent two entire days dealing with the report of that back into this House. I suspect, Mr Speaker, if you would like, you could go back to a number of significant and controversial bills in this House and you would find that on no other was such time taken up to bring the report back into the House. This has been the longest.

Third, we have spent four days in the committee of the whole to date and I would point out that in relation to the three bills where time allocation was moved in the last session, two more days in committee of the whole have been allocated on this bill than on Bill 162, the workers' compensation bill, than on Bill 208, than on Bill 68 and than on Bill 47, which was the employer health levy. The fact of the matter is, Mr Speaker, we have allowed two more full days of debate in committee of the whole on this bill than anything we had from the previous government in the previous Parliament and I think that you would have to take that into account in your deliberations.

Further, we have proposed that under the time allocation that is here, we would spend yet one more day in committee of the whole, so that members can proceed to stall through that as well, and we will allow one more day for third reading of this particular piece of legislation. Mr Speaker, in terms of respecting the rights of the minority, in terms of allowing the opposition parties to have a full debate on this matter, I submit to you that we have done the best we could in trying to allow the maximum amount of time for that to happen.

Fourth, Mr Speaker, with respect to the clause-by-clause debate, I want to point out to you and to all members of the House that in fact the clause-by-clause debate on this bill was finished in committee during the break. We are not dealing with a whole set of new amendments that have been placed that no one has heard and neither party has seen. The fact of the matter is that the committee, without any restrictions, without limitations, was able to deal with every amendment that was put, both by ourselves and by the opposition parties during that time in the break. So I submit to you, Mr Speaker, that you have to take that into account, that, again, we allowed for both of the parties to have their say for their people to speak to the amendments, as we spoke to ours, and that matter was settled during the break.



Now we are in the position that the Liberals have nine amendments. They are all repeats from the amendments that took place during the break. We have seven Tory amendments that we are aware of: Five of those, as well, are repeats from the amendments that were moved and debated upon and decided in the break. We have only two new motions which the opposition parties would like to deal with in this House. I submit to you, Mr Speaker, that we are never going to get to all of those and the fact of the matter is we dealt as carefully as we could, with the greatest amount of time possible during the break, with these matters.

Second, Mr Speaker, I would also remind you with respect to the issue that was raised by the member for Carleton, because this was the very point that he was raising, that it was unfair in fact that amendments were deemed to have been put at the end of the day. I refer you back to the debate on Bill 162 and the time allocation motion on Bill 162 and you will see that in that motion as well all of the amendments were deemed to be put and were put at the end of the day. The Speaker of that day also agreed that was in order and we proceeded. I cannot speak to Bill 68, but I would also ask you to take a look at Bill 68, because I believe that is the case with that bill as well.

Third, Mr Speaker, the government has moved. We accepted two of the Liberal amendments that were placed, and I submit to you, as one who went through a whole exercise on Bill 162, that was a far, far cry and we were far ahead of the game in terms of dealing with the opposition as fairly as we could than anything I saw from the previous government. Mr Speaker, I submit to you that those amendments were significant, they were compromises for us, but that is as far as we are prepared to go. The amendments that have been placed further to that are not amendments we can accept. They would gut the principles of this bill and this government is not prepared to move in that direction.

Fourth, this is a temporary bill. This is a bill to place a moratorium until this government and this House can deal with permanent rent review legislation, which I think we would all agree is absolutely essential. We have spent a great deal of time on a bill which is important but, quite frankly, is going to need to be replaced with a much more significant bill that deals with the problems of tenants, that deals with the problems of landlords and one that we all agree must come. I say to everyone again that the longer this debate goes on, the longer it will take to get to the permanent legislation and the longer will be the grief that we will cause out there for tenants and landlords.

Fifth is the question of, is there an end in sight, can we find consensus? I submit to you, Mr Speaker, that we have made every attempt that we can to find a way to get an end to this debate. I pointed out very clearly in my earlier comments that yes, at the House leaders' meeting last week I made it very clear to the opposition parties that as the government House leader I felt that this bill had been dealt with for enough time and had significant time for all of the parties to place their concerns. I asked at that point how much longer it might take, how many more days, when we could get to the end of this matter, and I was

clearly told that the government would have to do what the government had to do. That says clearly to me that there is no end in sight and that the government will have no choice but to have to deal with a time allocation motion because the opposition parties are not interested in finishing.

1650

That is fine. I respect that honesty. It makes my life far easier to deal with and to try and set the agenda of the House. But the facts of the matter are that the rights of the minorities have been respected, there is no end in sight to this particular matter, and now we have to do what we have to do as a government.

I just want to make some very general comments with respect to this particular decision to move with a time allocation. All of us who come here, I believe, and I believe this fundamentally, all of us who come here play a very important role, regardless of whether we sit on the government side or whether we sit on the opposition side, and I think it is significant that a number of us have a very interesting perspective in that we have sat on both sides of this particular issue in the time that we have spent in this Legislature.

I just want to share my perspectives, if I might, Mr Speaker, about how I felt in opposition with respect to significant motions that were moved in this House. Our party in the last session, when we were in opposition, in the last Parliament, made a significant decision with respect to three pieces of legislation. Those pieces of legislation for us were fundamental because they affected the rights and the conditions of working people, and we made a very significant and important stand on those pieces of legislation: Sunday shopping, workers' compensation and auto insurance. We went to the wall on all of them. I do not deny that. The people who were here before know, and they know exactly what I did on Bill 162 in committee.

But I recognized, even sitting in opposition, that at the end of the day, the government that was in place was democratically elected. Whether I liked it or not, whether I liked the fact that there were 94 Liberals at the time, they were democratically elected, the people had spoken and the government had a responsibility at the end of the day to get its legislation through. And the people at the end of the day would have to decide whether that was right or wrong.

I believe that with respect to Bill 4, we have made every possible effort to try and deal with the rights of the minority and allow it to have its say. The clause-by-clause in committee during the break was not limited, but the members of that committee managed to get through all of the amendments and had their say. We have had a significant second reading debate. We have had a significant debate with respect to the committee as it travelled, well over 100 hours. We spent two days in reporting the bill back, we have spent four days in committee of the whole, and I believe, as someone who tried to negotiate the time, that all of my efforts were spent trying to find a compromise, a consensus, and none can be reached in this case. There is not an option that we can come together in terms of the three of us and determine how much more time we need in



committee of the whole. There is no room for a consensus here. That was made very clear to me.

I would say at the end of the day that the government did what the government had to do. We have moved this time allocation motion because we feel that we must get on with our own agenda, we must get on with dealing with this particular piece of legislation and then on to the more permanent rent review legislation.

I would say to you, Mr Speaker, to please bear all of my comments in mind with respect to this decision, to take a look at decisions that have been made by previous Speakers with respect to these motions, because I can assure you that in every case the motion was allowed to proceed.

**The Speaker:** To the member for Parry Sound, Erskine May and Beauchesne provide me with my bedtime reading. I certainly am most sensitive to the question about time allocation. It is an important issue for any Parliament, and it is a very sensitive one. I listened carefully to the contributions made by the members for Parry Sound, for Eglinton, the government House leader and the member for Carleton, and I will be back to you tomorrow with a ruling on both points of order which have been raised this afternoon, both of which I take quite seriously, because they do affect how this House functions and in particular how the opposition's rights as a minority are protected.

#### PLANNING STATUTE LAW AMENDMENT ACT, 1990

Mr Cooke moved second reading of Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act.

**Hon Mr Cooke:** Actually, I have probably not done the procedure right. My parliamentary assistant is going to be handling the bill, so he will be speaking on second reading.

**Mr Ferguson:** As the minister indicated when Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act, was introduced, the amendments will prevent the circumvention of the planning approvals process by prohibiting the division and conveyance of land by last will and testament. I will reiterate that the government is committed to stopping this abuse of the planning process. The subdivision of land must respect good planning principles in order to safeguard the orderly development of communities and the protection of our environment.

The legislation will not prevent individuals from giving direction in their wills regarding to whom they wish to bequeath their land, and it does not prevent the ability of wills to convey lots which already exist legally. If there are existing wills which attempt to subdivide land and convey lots to individuals, the bill provides that the entire property will be transferred to the intended beneficiaries as tenants in common. Those beneficiaries could then apply under the Planning Act to divide the property into lots in the manner which the testator intended. Alternatively, the property could be sold and the proceeds from the sale could be divided among the beneficiaries.

Our goal is to ensure consistent and fair treatment of all citizens of this province by insisting that everyone wishing to divide land go through the same process. I

believe that the proposed amendments to the Planning Act will help us meet that goal.

**The Deputy Speaker:** Are there any questions or comments? Debate?

**Mr Bradley:** Is this speaking on second reading?

**The Deputy Speaker:** Yes, you have two minutes. Question?

**Mr Bradley:** Oh, no.

**The Deputy Speaker:** Are there questions or comments?

**Mr Sterling:** I just want to clarify for the public that the member for St Catharines cannot clear his throat in two minutes.

**The Deputy Speaker:** Are there any further questions or comments? Are there any other members who wish to participate in this debate?

**Mr Bradley:** Mr Speaker, if I can get a clarification from you, is this debate?

**The Deputy Speaker:** Yes, it is.

**Mr Bradley:** And why are we restricted to two minutes?

**An hon member:** You are not now.

**Mr Bradley:** I am not now, I take it.

**The Deputy Speaker:** We just had the member for Kitchener debating the bill.

Interjections.

**The Deputy Speaker:** Order, please. The reason is that after a person debates, there is a period of 10 minutes allocated, and that is why I asked the question: Are there any questions or comments?

**Mr Bradley:** That is the new rules, right?

**The Deputy Speaker:** No, it is not new rules.

Interjection.

**The Deputy Speaker:** Are there any other members who wish to participate in this debate?

1700

**Mr Tilson:** I have a question. My question is to the—

**Mr Elston:** Point of order.

**The Deputy Speaker:** Order, please. I asked the question, are there any questions or comments? Question, the member for Dufferin-Peel.

**Mr Tilson:** I have a question to the parliamentary assistant. I would like him to tell us the significance of the 26 July 1990 date. Why was that date chosen?

**The Deputy Speaker:** Are there any questions or comments? Please, we are not in committee of the whole. You have two minutes to raise a question or to comment on the comments made by the member for Kitchener. Is that understood? So you have two minutes to do so. You have already used 40 seconds.

**Mr Tilson:** I am gradually trying to figure out the procedure here. Can I ask a second question?

**An hon member:** Sure.

**Mr Tilson:** Thank you. My second question is, what happens to someone who has made a will in good faith



before 26 July 1990 and has died before Bill 25 is enacted? Two simple questions.

**Mr Sterling:** Frankly, I think we have it on track now. The problem that my friend alludes to is, if somebody died after 26 July and left to his or her son or daughter a lot on the farm, let us imagine, and then that son or daughter sold that lot to someone else while this bill is waiting in gestation, what would happen to the person who bought that lot? As I understand it, what this bill now says is that the person who bought the lot, took good title under the laws of Ontario, would no longer have a good and valid subdivided piece of property. I guess our concern is with the retroactivity of the legislation.

In other words, the member is saying that when this bill receives royal assent, let's imagine on 1 May of this year, someone who has paid good money for a piece of property which was legally conveyed to him will be left out in the cold as far as his ability to carry on and build on that lot is concerned. Or perhaps he has already built his home on that lot and will find his home devalued because it becomes unsevered or becomes part of the adjacent piece of property. Our concern with this bill is specifically that retroactivity this government has placed in this Bill 25.

**Mr Ferguson:** I am glad to hear that the only question is the question of retroactivity and that all sides of the House support the principle of the bill. Let me tell you that 26 July 1990 was not a date that was pulled out of midair. In fact, it was a public commitment made by the previous Liberal government's Minister of Housing, the then Honourable John Sweeney. So it was not our commitment, it was the Liberal Party's commitment and it is a date that has been widely recognized by the legal community. It is a date that has already been widely recognized by municipalities and by the citizens at large. They recognize that some time ago 26 July was announced as the intended date for this piece of legislation to be retroactive to, and it has been widely accepted as a result of the previous announcement. All we are doing is living up to a previous commitment that has been made by a former ministry.

**The Deputy Speaker:** Are there any other members who wish to participate in this debate?

**Mr Bradley:** This is a piece of legislation which is very much required in the province of Ontario. The history of this goes back some considerable years, but there was a review of the Planning Act that took place in 1983, when there was contemplation of a number of changes which could—the word used was—"improve" upon the Planning Act that was in existence.

Many of the changes were not proceeded with. Some changes over the years have been proceeded with. I know there has been a concern, particularly among those in the legal community, that tampering with this particular portion of the Planning Act would in fact prevent people from legitimately exercising their right to pass on certain of their property to successors, to people they designate in their wills.

Members of the House will be aware there has been considerable pressure over the years on agricultural land in

the Niagara Peninsula, probably since the Queen Elizabeth Way was constructed through prime agricultural land, the fruit land of the Niagara Peninsula many, many years ago. There has been development that has taken place along that corridor. If people could have devised a better place to put it, if they could roll back the years to do so, they probably would have constructed this highway on the top of the escarpment, as we call it, or south of the Niagara Escarpment, as opposed to north of it, because there are two special conditions which exist on the properties that are located in the north part of Niagara.

One is that there are some unique soils in certain parts of north Niagara which lend themselves to tender fruit farming; and two, there is a special circumstance that exists in terms of the climate in that area. I remember taking a geography class at one time where the teacher indicated there was either a 27- or 28-day difference between the growing seasons, that is frost-free days, at the bottom of the escarpment or the north portion of the Niagara Peninsula, and the top of the escarpment or the more southerly portion of the Niagara Peninsula. That is why you saw tender fruit surviving in this rather unique area of the province.

However, the construction of the QEW ensured there would be some development taking place along there and a significant portion of that land has already disappeared over the years, particularly in the northern part of the city of St Catharines, where prime agricultural land has been disappearing for some period of time.

I would express concern about that because where some of the best soils are, already we have houses, we have other dwellings, we have industrial land, we have commercial land, and a very unique portion of farming in this province, in this country has disappeared as a result. But there is still considerable land that exists in the Niagara Peninsula, land I happen to believe is worth preserving as agricultural land.

I have raised in this House on previous days the issue of farmers and the difficulty that farmers have of making a go of it, of having a viable operation in many parts of the Niagara Peninsula, for a number of reasons. One of the prime reasons, of course, was the signing of an agreement with the United States by our federal government, the free trade agreement between Canada and the US, which put some considerable additional pressure on farmers in our part of the province.

Back in 1975, when we saw the beginning of an expansion of some of the boundaries of municipalities in the Niagara region under the auspices of the regional municipality of Niagara, some of us who served in local government at that time expressed great concern and initiated action designed to restrict the growth of those boundaries. It was not a particularly popular position with many in our community. Most people at a municipal level like to see their communities grow, develop and gain what they would consider to be additional and beneficial assessment which, I suppose, would bring money and fame and fortune to a municipality.

1710

Some of us, however, believed that it was worth while saving the agricultural land in those days, and members



would be interested that, on those occasions, the Preservation of Agricultural Lands Society was one group which was very instrumental in drawing this whole issue to the attention of people in this province, but there was a good deal of sympathy among farmers in our part of the province who were allies at that time of those of us who considered ourselves to be preservationists or conservationists in terms of the agricultural land.

So when that debate took place and the regional official plan was developed and the boundaries were to be decided upon, there were some conflicting points of view put forward. There was naturally the point of view that municipalities must have room to grow, and even then it was said that much of the agricultural land would not be viable in terms of the competition that existed then. Some of us pursued this issue nevertheless. I would like to see even more restrictive boundaries than we have in the Niagara region at the present time.

I remember the former member for Welland-Thorold, Mr Swart, was also a person who was a strong believer in agricultural land. We both have put before or discussed in this House, when we served previously in opposition, ideas that would develop the farm land for appropriate uses—that is, for agricultural purposes in the viable sense—and would prevent the erosion of that land and its turnover for development purposes to those who wanted to do it for those reasons.

This is not to say that everyone in the Niagara Peninsula who believes in the preservation of prime agricultural land believes that there should be no development at all. There are places in the Niagara Peninsula where development can take place and should be encouraged. The issue is where it should be and the amount of development which should take place.

There have been many, then, who have put pressure on over the years and have done so because they felt that there was a dollar to be made in it, first of all, and second, that it was ideal in terms of the location. So considerable pressure was put on to expand the boundaries, and governments over the years have resisted that particular initiative on the part of many to expand those boundaries. There have been demands for severances over the years. There have in fact been urban dwellers who have moved into the countryside.

I think all of us recognize the problem with urban dwellers moving into the countryside, which is that very often they want to enjoy all of the amenities of the city and the peace and quiet of the countryside. But the countryside is not always peace and quiet as far as farmers are concerned. Some of their operations tend to produce noise, some will produce dust, some will produce odours, and it is interesting that people who go out to the countryside often want to eliminate those particular aspects of country life while maintaining and adding to that which is already there in terms of urban services. That is why governments have to be very careful to restrict piecemeal development as well as approving large subdivisions when it is not good for agricultural land.

There is another part that is of grave concern. The member for Halton Centre has expressed this point of view

in the past and has brought to the attention of various people the fact that even the Niagara Escarpment is under assault from those who wish to see development. This is where we get into the particular device which was used in this case to get around the Planning Act. As I say, to the credit of the governments which have been—we have had three different parties—in power over the last 10 years, all three, when the boundaries have been set, have been opposed to expanding those boundaries, have not entertained any significant expansion of boundaries, and have been pretty tough on severances, I think, if you look across the three parties which have ruled in the province of Ontario.

The fly in the ointment, I guess, if I can steer back to that one, is the economic circumstances facing farmers. That is why I think it is extremely important when we preserve agricultural land that we indicate a willingness to do one of two things. We can pay a higher price for the food that is produced, and I think politically that has never been popular in any particular country. If we look at some other countries in the world which today are raising their prices, we can see that people are almost in revolt over that, and we have resisted in Canada considerably. If we are not prepared to do that, we have to be prepared to compensate farmers in another way, whether it is by purchasing the land and leasing it back, whether it is by providing support payments, whether it is by providing some financing that can be helpful to them in terms of meeting the difficulties with interest rates or whether it is by promotion of the product—which we think is important in our province of Ontario. There is the utilization of products by government institutions, for instance, penal institutions in the province of Ontario or other institutions under our control. All of these can utilize Ontario-grown food.

We have a few representatives in the House who share with me the role and responsibility of representing the Niagara Peninsula, who understand that very well, who understand the anguish of the farmers at this time. They will speak for themselves if they wish, but knowing them as I do, they are all people who believe in the preservation of good agricultural land. They are also people who know that we must be very strong in our support of farmers.

That gets to the bill itself in that the reason that people started to get around this was they could see that governments were going to resist, and justifiably so, the expansion of urban boundaries and unrestricted development taking place in the Niagara Peninsula and beyond the Niagara Peninsula—into Halton region, for instance. So they found new ways of getting around the law, ways that the law as it existed did not really contemplate.

We had looked at people passing on to their successors to their families, to whomever they saw fit, their property and their possessions. It was not for the purpose of getting around the Planning Act. It was in fact to allow for that logical transfer to another person in the family, for instance.

What we saw instead were people trying to get around the act, and I guess legitimately so, because the act had a loophole that allowed it. A lot of this began to take place in the province of Ontario almost without anyone knowing it. It was really not known that it was taking place until people started to investigate at registry offices and so on.



know that a reporter by the name of John Nicol with the *St Catharines Standard* did a number of articles that I remember clipping out of the *Standard*, and Carol Alaimo was involved as well in certain of the issues that are related to this. She dealt with a certain aspect of it and John Nicol dealt with the other aspect, which is a testamentary device system of getting around the Planning Act. To give credit to people, the news media can often find out and expose these problems so that those of us who are elected to public office can act upon them, and that is exactly what happened in this case.

The regional municipality of Niagara as well, and some of the local municipalities, expressed a concern because they saw all of the flak they had taken over the years for standing pretty firm against those who wanted to develop their land or sell their land for development. They saw people getting around this very easily and really felt that if there was going to be an easing of those restrictions, that that should be done in an orderly fashion by the local municipalities. Frankly, I hope there is no easing of those particular restrictions, but I do hope that we have excellent programs to help farmers stay in business and make that a viable operation.

So we came to the bill. The previous government, as this government—this minister and the previous minister—had it brought to their attention that in fact this was a problem, that we would see unfettered development taking place in the Niagara region and in other parts of the province as a result of this particular loophole in the Planning Act. That has ramifications which are significant for a couple of reasons. First, if you wish to preserve prime agricultural land in the province, it is going to work against that. Second, municipalities end up having to service land, or at least be under tremendous pressure to service land, and they had no intention of approving a subdivision for it. So it starts to distort their spending priorities and their obligations to their constituents, the individual members of local councils.

That is why this particular bill is very much required. Unfortunately, some of the people involved in it may not even have known that they were involved in a situation where government was going to react quickly to it, as governments should react quickly to it. I think it is going to be important that we examine not only this loophole in the act, although today we deal with this, but that when the government examines and the Legislature examines the entire Planning Act, we determine whether there are any other ways that people could get around the provisions of the Planning Act to in fact bring about this kind of subdividing.

1720

The other problem that exists in the peninsula is the amount of money. I mention that, first of all, the farmers are under pressure because they cannot make a heck of a lot of money on the farm; many of the farms are not viable.

The second reason is that the amount of money they are being offered is tremendous, and if you were a farmer who owned a piece of property that was not viable economically, that you could not make a living on, and somebody said, "I am going to give you \$5 million for the

property," it is mighty difficult to resist the temptation to sell off that land, even parts of that land, for subdivision purposes or for development purposes, particularly when you are perhaps facing financial ruin.

I believe the bill that was originated by the previous government, by John Sweeney when he was a minister, the bill which is carried on today by the new Minister of Municipal Affairs, is a bill which is deserving of the support of all members of the Legislature.

Those who are in the legal profession, and I am sure the government has examined this, may be in a better position to say a specific provision of the bill may be detrimental. This was one of the arguments made when this was brought forward. You will always hear members of the legal profession—I do not say this as a putdown; I say this as people who are cautioning us—saying: "Do you understand the ramifications of what you are doing on these bills? Is this overkill or it is not overkill?" To a layperson such as myself, it is not overkill; it is an extremely important provision which should be enacted as soon as possible.

The government cannot be accused in this case of being unfair in terms of retroactivity. They have announced already that there was a date that they were going to go back to, that anything after that would in fact be subject to the provisions of this bill. So those who would make the argument that this is unfair, I think, would not make a valid argument either in terms of the previous government or this government and the action that it is taking on this specific piece of legislation.

I think it is important for a couple of reasons, and one is, as I say, the overall policy of the retention of good food land in the province of Ontario. I have listened to people tell me that we do not need this food land, that we have got all kinds of agricultural land in this country. "What are you worrying about? You can buy the food from California or Florida or somewhere else in the world."

I think we must recognize that it is a pretty unique resource. We are on this earth not only to feed ourselves, not only to feed our own local jurisdiction or province or country; we also have some moral obligation, it seems to me, to share the assets that we have. If we can produce food in our particular country because we are fortunate enough to have the appropriate soils, climatic conditions and good farmers to do so, then it seems to me we have a moral obligation to provide food for not only ourselves but others in the world. I know you can make the argument that today we can get food somewhere else, but somewhere down the line we are going to have to provide food for other people in this world as well as for ourselves.

In a more parochial sense, one of the reasons that the prices of food are as low as they are in our country is because we have our own food to compete. If people believe for one moment that if we did not grow tender fruit in the Niagara Peninsula, somehow the prices of the imported food would be as low as they are today, they are fooling themselves. Those prices would rise.

We also have, looking at the whole Niagara Peninsula, something that is attractive not only in terms of agriculture, although that is the prime and most important reason, but also attractive in terms of our general living.



I remember speaking to a gentleman who is now the Senate majority leader, George Mitchell, who is a senator from Maine—I dealt with Senator Mitchell on many occasions on the issue of acid rain; a very progressive and thoughtful individual. He spoke, in fact, here in Toronto; I remember making about 100 photocopies of his speech. I thought it was an excellent speech. I gave it to each of my colleagues and I should share it with more people in Canada. It was an excellent speech dealing with environmental issues.

One of the things that Senator Mitchell said to me, in some of the relatively brief meetings I had with him, was that he liked the way he perceived Ontario was dealing with its green land, the greening of the province of Ontario, with park land, with the Niagara escarpment, with agricultural land, and the attitude that people have in Ontario and in Canada towards matters related to the environment. He was quite impressed with that and had hoped that in Massachusetts they would be doing the same thing.

There are some, and my colleagues from the peninsula will know this, who are advocating certain provisions which have been invoked in the state of Massachusetts, as it relates to farm land, so certainly there is a lot that we can learn. Maine, of course, and Vermont and New Jersey have undertaken certain activities which have been designed to retain agricultural land.

I think it is an extremely important issue. When we get into a recession, everybody worries about the recession and the economic issues, and that is as it should be, but we should not shove aside environmental issues, conservation and preservation issues, just because we happen to be in the middle of a recession. The recession will be over. Everybody will work hard to try to get out of it. The natural cycle of economics as well will dictate that we will—we hope sooner than later—be out of this particular recession, and we will want to retain those lands for not only this generation but the next and the next and the next after that.

It is going to be important we do not allow these feet in the door, each time we have a foot going into the door with a new way of getting around the Planning Act. Whether it is trying to persuade elected politicians that we should change our policies and allow the development of this land or whether it is legal devices which are employed to do so, I think it is important that we make every attempt to retain agricultural land. I know that is something which is shared by at least a significant portion of people in the House. Not everybody has that point of view, and though I do not agree with others' points of views on it, I respect those points of view.

I mention the agricultural land because it is exceedingly important and it is something that I have dealt with for a number of years on a personal basis. I also know that those who reside along the escarpment—and again, we in the peninsula have the escarpment going through the Niagara Peninsula. At least four of the constituencies in the Niagara Peninsula would have the escarpment going through them, and it is a genuine asset. As it goes around Hamilton and heads up through Halton and up into the Bruce Peninsula, it provides us with, again, something that is pretty unique, something that received the United Na-

tions award. I remember when a major official from the United Nations joined us in the regional municipality of Halton, and we can look upon it as something that has global significance. When you see people who are going to attempt to use a loophole in the Planning Act to get around the retention of those excellent lands along the Niagara Escarpment, you have to become very concerned.

I know there is a division of points of view on whether the Niagara Escarpment should have any development or what kind of development. I have personally always been a preservationist and conservationist as it relates to that particular piece of property as well. Knowing that it annoys some people, knowing that there perhaps have been some instances where it looks silly or it looks unfair, I think on balance and overall it is important to retain that, and that is again why this bill will be essential, to ensure that kind of land is not going to disappear.

But this issue, though the pressure is on in the Niagara Peninsula and along the escarpment, is important to those areas. It is a device which could be utilized right across the province of Ontario in an attempt to circumvent the Planning Act. If people want to make that case, they are entitled to make the case to the provincial government, to the provincial Legislature, to individual municipalities, whether regional, county or area municipalities.

They have that right to make the argument to people that they want to see the designation changed. I hope there is resistance to that; however, I recognize their democratic right to do it. I do not approve, however, of a circumvention of the act by people utilizing provisions of the act, which were not meant to establish subdivisions, to establish other developments in this province.

For this reason, I think this Legislature would be wise to proceed with this bill, to give full support to this bill and to recognize that the implementation and the date that has been selected is one which is extremely reasonable, because that kind of warning has been provided to people who would be affected in a direct sense by this particular act. I urge members of the House to give it the full and speedy support that it deserves.

**Mr Tilson:** The question I have for the member is essentially the same question I asked the member for Kitchener. It would appear that the government has simply taken this bill from a drawer of the previous government and has now introduced it, and certainly I think we laud the general principle of it. They are trying to close a loophole that is in the act and I think we support that principle, but again, I suppose the comments that were made by the member for Kitchener that he has obtained the views of the legal community and the general public, I do not know how that information has come about.

1730

Second, the government had not even been elected, I do not even think the election had been called, by the time 26 July 1990 came about. So again, I am quite serious. I am very curious as to where 26 July came about.

Therefore, my question is to the member for St Catharines, as a former member of the cabinet, whether he



knows of any rationale in the thoughts of the previous government as to why that specific date was chosen.

**Mr Klopp:** I too would like to rise and give support to this bill.

A number of good comments were made by colleagues all around this House. I am one who has been very clear in my time on councils and my time here that severances are something which we should be very much aware of and concerned about with regard to agricultural land. It has been brought up that in order to save agricultural land we do not just have to look at bills like this but we have to look at the ramifications of why farmers are having to be forced off the land and looking at these ways of getting around things.

This bill stops the greedy people of this province from taking advantage of loopholes. Really, it is the little old lady on the 6th concession who knows from her past that she does not allow her land to be severed off so that future people do not have food. They realize that, so they do not take advantage of trying to find loopholes. But unfortunately, after those people are gone, the next generation, out of what I call greed and shortsightedness, maybe they can say because of tough times or whatever, but they look at these kinds of loopholes, and that is wrong.

I am a firm believer that we have to look at the whole ramification of what is going on and how come the farmers are having to look at these ideas of selling land. Indeed, the ministry is looking at that. This government has taken the bull by the horns. We have taken on Gary Davidson, a planning person from Huron county, who knows a lot of the ramifications and who is taking this issue right on; he is down in Niagara at this time and looking for the long-term ramifications.

Indeed, there is a very simple phrase, "If you want to save land, save farmers." I am glad the opposition members have mentioned this, and indeed our whole caucus believes very much that we need to get a price for the farmers' products, and we are not scared to say that. If we look at the Minister of Agriculture and Food's statements over the last while since we have got in, he has said that people have to pay for food.

Also, I am glad to say that it has also been mentioned that we have to take the environment in that. We just cannot overproduce and cause the problems that we have seen in Europe, and we have to take that into account.

I support this bill.

**Mrs Sullivan:** I wanted to congratulate the member for St Catharines for his thoughtful and informed comments relating to Bill 25. I think his discussion of the particular impact of this bill has added significantly to the level of debate in the House.

He spoke about particular areas which are unique, which through improper use of wills are endangered, through really under-the-table decisions that are being made to manoeuvre around the Planning Act. It has certainly been a matter of considerable concern in Halton, where wills have been used to thwart the planning process not only in lands in the escarpment area but in the agricultural community.

I concur with the member's remarks relating to the agricultural community and preservation of land. That is something of value to all of us and something that is of deep concern in my community. I also concur with his remarks that we must not only recognize the necessity of appropriate funding and support to the industry but we must also look at encouragement through perhaps other methods, including land trusts or whatever, to ensure that that agricultural land is maintained.

I believe when this information relating to this bill was made public by John Sweeney prior to the last election, he was responding to issues which were very specific to areas such as mine, such as the Niagara Peninsula and up through into the Bruce area, that have significant importance not only for today but for the longer term.

I believe this bill deserves support and I thank the member for St Catharines for his comments.

**The Deputy Speaker:** The member for S-D-G & East Grenville. I hope you realize that this is the first time that you are being referred to with this title.

**Mr Villeneuve:** Thank you, Mr Speaker, for being so kind and astute as to notice that and to recognize that, and I thank you for it.

I, too, want to participate for the very short time available in this debate. The member for St Catharines comes from an area where the land is excellent. I come from an area where we also have excellent land. We also have a lot of marginal land, and I certainly will be supporting this bill to block loopholes to go around legislation.

However, there is a much larger problem that must be attacked: that of returns to agriculture, and I speak of agriculture in general. In my days when I worked for the Farm Credit Corp we used to capitalize net income. In other words, you apply an interest rate to a net income to come up with a capital value. The problem we have in agriculture these days, and I even include some of the supply-managed producers, because if indeed you were to capitalize the value of the quota there would be very little net return to the land.

We have had long and harried discussions on retroactive rent freezes and what have you, and I certainly feel for the landlords. However, we are looking at agriculture in very much the same light. We are faced with a situation in agriculture where people are having to leave the land. Those who are producing in the grain section are producing for less money than they did 15 years ago, and that is unacceptable.

This government talks about increasing the minimum wage to our urban friends, and I suppose you cannot be against that. However, those in agriculture are faced not only with reducing but no net income. To break even in agriculture these days is doing pretty well. So I say we must address the major problem. Some of the marginal land that we have, certainly in eastern Ontario, should be allowed to produce other things than agricultural products.

**Mr Bradley:** I thank the members for each of the comments. The members who have indicated their position on this have obviously seen the difficulty that arises. The member for the newly named riding of S-D-G & East



Grenville—I have got it right—is one who recognizes well the problem. The member for Huron has an agricultural background as well. I think we are seeing a kind of unanimity that I expect we might see on this.

My understanding is that the ministries of Municipal Affairs and Housing began to investigate this when some municipalities began to complain that in fact there was a problem. I cannot speak for the Minister of Municipal Affairs and Housing, who was there at the time, but the problem that I understood was that they were worried—and, again, legal people know more than I would know about this, and in the planning department of Municipal Affairs—that somehow they would not want to affect all wills. In other words, there is an appropriate way of passing something on, I am told, through wills, and there was some concern about that.

The 26 July date, as I can recall, and Mr Sweeney would be in a better position than I to know this, would be the date on which cabinet made a decision, or the day subsequent to which a cabinet decision was made on this particular subject, and I think that was the significance, that they did not want to go back to a position before an actual decision in cabinet was made. That is my understanding of that. This certainly came as a result of news media reports and as a result of municipal people and people in Municipal Affairs and Housing recognizing that a problem was arising.

**Mr Sterling:** I do not know whether the members fully understand the argument on the retroactivity and I am going to go into that in a moment, but I think the member for Huron just went a little too far in saying that there are greedy people in the province who have utilized a provision which they have legally been entitled to do, and that is, draw on their will a wish to leave a portion of their land, which was not subdivided before, to someone else.

There are probably 10,000 wills in this province drawn up, in most cases, by farmers who have decided that when they die they want to leave their son or daughter a piece of their property. In fact, 18 years ago when I was practising law I drew up such a will. I did not feel that the farmer who had come to me and said, “I want to leave my son or my daughter a lot,” was in any way contravening any laws. He was not going through any loophole, because the law of the land before this law is passed is such that you can leave a person a piece of land even though you own an adjacent piece of land. That is the law of the land.

1740

For people to stand up in this Legislature and assume that everyone who has made a will in the past with this kind of provision is a greedy individual who is trying to get around our planning laws is wrong, because our planning laws have not put a restriction on doing that in the past. This is not a phenomenon that was just discovered in the last year. Anyone who was a lawyer who did any practice in the country, as I had a small part of my practice when I practised some 14 years ago before I was a member of this Legislature, knew that this lack of provision in the Planning Act existed; so did my confrères. From time to time when a farmer came in and he asked me whether

he could leave a lot to his son or his daughter, I would say: “Yes. The Planning Act may be changed in the future to restrict you from doing that, but that is your legal right. You can do that with your land if you want.”

Now what has happened in the past year is that unfortunately some people who are greedy, who want to get around the intent of our Planning Act, have utilized this right that we have had in the past, to leave by our will to someone else a piece of land which has not been subdivided before, to perhaps too great an extent. They have tried to subdivide a whole host of lots out of a particular parcel of land. Therefore, it was the decision of the former government that it was necessary to restrict another property right that we have had in Ontario, and that is the right to sever a piece of land by will. That was a decision by the past government.

This government has said, “We want to restrict property rights,” by doing this as well. We do not disagree with them. We think that because some people in this province have used this provision that we have had or this right that we have had in the past, to give a piece of land to your son or your daughter on the farm, has now fallen into a use which was not contemplated by former governments and former legislators and we now have to bring in another restriction to property rights.

Let's not get the idea that everybody who did this in the past—and I estimate that there might be as many as 10,000 people in this province who have done this in the past and were accepted—municipalities around the country said if somebody has made a will and left a daughter or a son a lot, that was acceptable. We accepted that as a society in Ontario. It was not raised as an issue. People knew that you could sever land this way, but somebody ruined it by subdividing, and subdividing by what I call a very brutal use of death and the testamentary disposition of assets.

My party, while it supports the intent and the principle of this, is very concerned about the retroactivity of this legislation. I want to graphically illustrate, through an example, why it is wrong to go back to 26 July. I want to utilize my knowledge, having practised law in this province and, to some degree, having had some experience with rural properties.

Let us take the example of John Doe who leaves to his son, Jake Doe, a lot. John Doe passed away, let's say, in August of this year. His son, Jake Doe, has received that lot basically in law as soon as John Doe has died. It actually becomes the son's lot when the will is registered in the registry office, so in, let's say, September the solicitor or somebody acting for the estate walked in with the will of John Doe and registered the will on the title of the property. In spite of the fact that this Bill 25 and the previous bill were in this Legislature, Jake Doe, the son, has a legally severed lot. I assume, of course, that John Doe has given the rest of the farm to his daughter, Jane Doe, so that Jane Doe has the remainder of the farm and Jake Doe, the son, has the lot in the corner of the farm.

The issue is more complicated by the fact that we had an election on 6 September, because in spite of the fact that the previous government had said this was going to go



back to 26 July, Jake Doe does not know whether the government has any intention of reintroducing this bill. They do not know if they are going to choose 26 July as the retroactive day. They have no idea that the policies of the new government are going to be the same as the old government's. So Jake Doe goes to a real estate agent and he says, "I have a legal lot to sell." The real estate agent says, "Fine, I'll put up my signs," etc. In October, John Smith comes up to the real estate agent who shows him the lot that Jake Doe has for sale. They make a deal. They draw up an agreement.

Often with those agreements, as anyone who has had any transaction knows, a lawyer is not even consulted before the deal is signed. In Ontario, once the deal is signed, once the agreement of purchase and sale is signed, the purchaser is on the hook to pay the price if the vendor has a legal title to transfer. If the deal closed today the purchaser, John Smith, would have to pay the money, even if John Smith's lawyer had discovered that this legislation was before the Legislature and it was going to be retroactive to 26 July, because he had made an agreement to buy from Jake, the son, this lot, which he has a legal title to today because this legislation has not passed. Therefore, John Smith has bought a piece of land which was legally subdivided, and when this bill receives royal assent—which will likely happen within the next week or two—he will no longer have legal title to that property.

I do not think this has happened very often in this province of Ontario. What my party would like to do, and what we are going to do, is introduce an amendment to the bill. We would like to give the Minister of Housing the right to look at a situation that I have described which might have occurred in the last year. My amendment, or the amendment of my party or one of the members of my party, will say to the minister, "If you are satisfied, Minister, that the transfer of the property was done in good faith and the subdivision of the land would not have a major impact on the land use planning of that particular municipality, then you can give that deed the sanction it needs to become legal and proper." That is all we are asking.

1750

We are not asking that the minister wipe out 26 July altogether, because I think that it would be wrong to say to one of these subdividers who had subdivided a whole bunch of lots in the Niagara Escarpment or wherever that he can divide all these lots. We are concerned about the farmer who did what he was legally entitled to do, and that was to give his son or his daughter a lot, and he may not have sold it, but he may have built a house on it and put a mortgage on it and he may find himself when we give this royal assent with a house on a corner of a farm rather than on a lot which he is legally entitled to have today.

We are very, very concerned with the retroactivity of all legislation—and we have talked about that in other legislation, Bill 4, in front of this House—but we think that there is a real remedy here. I gave to the minister as long as a week and a half or two weeks ago a copy of my amendment, and I have said to the minister, "If this doesn't suit you, draft another amendment which will give the same kind of effect, either to yourself or to someone else,

to remedy a situation where somebody is left high and dry because he did with his land what he was legally entitled to, he got himself into a situation because there was a change in government, he did with his land something because we have a piece of legislation before this House and it wasn't clear whether it was going to become law or not become law." Therefore, we think that the problem of the situation which I described can be overcome by giving this discretion to the minister of the government to carry forward.

My party feels very strongly on this matter. It may only affect one or two individuals in this province. I do not expect that it would affect much more than that number, but to those individuals it may mean their life savings. It means that they were acting in accordance with the law and are now being penalized, and we absolutely dismiss that kind of lawmaking in this province.

Therefore, I will ask, after we give this second reading, that the parliamentary assistant and the minister will consider a reasonable amendment, if not like the one that we have given him a copy of, something of a similar nature.

**Mr Ferguson:** I will try to be very brief. I do not want to give a historical perspective of what has happened to this point in time in the province and what prompts the government and necessitates the government to bring forth the amendment to the act, but let me tell members, in 1983, when the act was proposed, a number of people from the legal community as well as a number of municipalities apprised the government of the day, the members from the Conservative Party of the day, of some of the serious shortcomings of the bill. They stated at that point in time that there would be perhaps a point where this portion of the Planning Act was open for some pretty serious abuse, and of course that has come to fruition.

If you take a look at this map—and it is a map that basically runs from Fort Erie and Niagara-on-the-Lake up to Hamilton-Wentworth—you will notice the number of stars that are located on the map, and those are really the hot spots where the abuse is taking place in the province of Ontario today. Let me tell you that it is not only in this area where this portion of the Planning Act is not being used but severely abused that necessitates this amendment to the Planning Act, but there are other areas in the province as well.

Very briefly, in July of 1990, on 26 July, a press release was issued outlining that that would be the retroactive date for this piece of legislation. We think it is only fitting to uphold that date with this new piece of legislation.

In addition to that, it has been suggested to the members that people who have received lots created by wills from people who have died after 26 July are going to run into some difficulties. Clearly that is not the case, they are still going to hold the land in trust as common tenants, and I think that is important.

**Mr Tilson:** I do hope that the government will consider the proposal that has been put forward by the member for Carleton, because I think in addition to the situation that he has illustrated, innocent people could have made a will—and in good faith, based on the law at the time—and



may indeed have passed away before, as I say, Bill 25 is enacted, and could have passed away certainly between 25 July and whenever the bill is enacted, in other words, the date of proclamation, in which case their bequest would be void and could cause considerable legal problems as far as their wills are concerned. So that is yet another example, in addition to the example that was given by the member for Carleton.

Certainly we do not live in a perfect world, and no amount of tinkering will make the world perfect. However, notwithstanding the fact that we do not live in a perfect world, I think that every effort should be made to make the world as perfect as possible. I am sure that is the ideal wish of this government. Clearly, by solving a problem that I think all members of this House agree with, I think every effort should be taken to solve a potential problem that this bill may have the opposite effect of creating. So again, our party is supporting the bill in principle but has that one major concern.

**Mr Sterling:** I just want to make it perfectly clear to the parliamentary assistant that he need not draw the evidence out again that this amendment is needed. We have said we support the principle of it, and when he holds up the map with the stars, I am as concerned about the stars or the dots or whatever it is as he is. I drafted the Niagara

Escarpment plan, so I am very much concerned that that plan not be taken apart by abuses.

I do not make any excuses for what was or what was not done in 1983. That does not matter. The abuses were not taking place in 1983, they took place in 1989 or 1990 or whenever these people were abusing the law.

But for the parliamentary assistant, of all the things that he said, perhaps the most important one was that on 26 July a press release was given out by the minister. A press release is not the law. The law of the land is what we make in this Legislature. The law of the land will be the law of the land when we give royal assent to Bill 25. And not only was the press release not law, the press release was from a former government.

Therefore, what I am asking the minister and the parliamentary assistant is not a great leap of faith. What I am asking him to do is for the Minister of Housing, for a short period of time, from 25 July of last year to the date when we give this bill royal assent, to take some discretion to fix up the cases where we have unintentionally put people in a corner that they cannot get out of. That is all we are asking.

**The Deputy Speaker:** It being 6 of the clock, this House stands adjourned until 10 o'clock tomorrow morning.

The House adjourned at 1800.



## ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
<b>Akande, Hon Zanana L.</b>	St Andrew-St Patrick	NDP	Minister of Community and Social Services
<b>Allen, Hon Richard</b>	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
<b>Boyd, Hon Marion</b>	London Centre	NDP	Vice-Chair, standing committee on Ontario in Confederation
Bradley, James J.	St Catharines	Lib	Minister of Education
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
<b>Buchanan, Hon Elmer</b>	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
<b>Carter, Hon Jenny</b>	Peterborough	NDP	Minister of Energy
<b>Charlton, Hon Brian A.</b>	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
<b>Churley, Hon Marilyn</b>	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
<b>Cooke, Hon David S.</b>	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
<b>Coppen, Hon Shirley</b>	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
Elston, Murray J.	Bruce	Lib	Co-Chair, special committee on the parliamentary precinct
Eves, Ernie L.	Parry Sound	PC	House leader
<b>Farnan, Hon Mike</b>	Cambridge	NDP	House leader
Fawcett, Joan M.	Northumberland	Lib	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Health
<b>Gigantes, Hon Evelyn</b>	Ottawa Centre	NDP	Minister of Health
Grandmaitre, Bernard	Ottawa East	Lib	
<b>Grier, Hon Ruth A.</b>	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities



Name of member	Constituency	Party	Other responsibilities
<b>Hampton, Hon Howard</b>	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Jamison, Norman	Norfolk	NDP	Chair, standing committee on estimates
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Jordan, Leo	Lanark-Renfrew	PC	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Klopp, Paul	Huron	NDP	
Kormos, Peter	Welland-Thorold	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kwinter, Monte	Wilson Heights	Lib	
<b>Lankin, Hon Frances</b>	Beaches-Woodbine	NDP	Minister of Government Services, Chairman of the Management Board of Cabinet
<b>Laughren, Hon Floyd</b>	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
<b>MacKenzie, Hon Bob</b>	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
<b>Marchese, Hon Rosario</b>	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
<b>Martel, Hon Shelley</b>	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
<b>North, Hon Peter</b>	Elgin	NDP	Minister of Tourism and Recreation



Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perrazza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Phillip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Chair, standing committee on regulations and private bills
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Fred	Frontenac-Addington	NDP	Parliamentary assistant to the Minister of Correctional Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Wininger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	



Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

## COMMITTEES OF THE LEGISLATIVE ASSEMBLY

### STANDING COMMITTEES

#### Administration of justice

Chair: Drummond White

Vice-chair: Mark Morrow

Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Fred Wilson, David Winninger

Clerk: Lisa Freedman

#### Estimates

Chair: Cameron Jackson

Vice-chair: Margaret Marland

Members: Gary Carr, Hans Daigeler, Ron Hansen, Karen Haslam, Wayne Lessard, Dalton McGuinty, Lyn McLeod, Anthony Perruzza, Margery Ward, Gary Wilson

Clerk: Franco Carrozza

#### Finance and economic affairs

Chair: Jim Wiseman

Vice-chair: Ron Hansen

Members: David Christopherson, Norman Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Chris Stockwell, Barbara Sullivan, Kimble Sutherland, Brad Ward, Margery Ward

Clerk: Todd Decker

#### General government

Chair: Remo Mancini

Vice-chair: Michael A. Brown

Members: Donald Abel, Gilles Bisson, Dennis Drainville, Noel Duignan, Margaret H. Harrington, George Mammoliti, Bill Murdoch, Yvonne O'Neill, Ian G. Scott, David Turnbull

Clerk: Deborah Deller

#### Government agencies

Chair: Robert W. Runciman

Vice-chair: Allan K. McLean

Members: James J. Bradley, Robert Frankford, Bernard Grandmaître, Karen Haslam, Pat Hayes, Dalton McGuinty, Tony Silipo, Chris Stockwell, Daniel Waters, Jim Wiseman

Clerk: Douglas Arnott

#### Legislative Assembly

Chair: Noel Duignan

Vice-chair: Ellen MacKinnon

Members: Mike Cooper, Robert Frankford, Margaret Marland, Irene Mathysen, Carman McClelland, Gilles E. Morin, Sharon Murdock, Hugh P. O'Neil, Stephen Owens, Noble Villeneuve

Clerk: Douglas Arnott

#### Ombudsman

Chair: Mark Morrow

Vice-chair: Drummond White

Members: Alvin Curling, Noel Duignan, Joan M. Fawcett, D. James Henderson, Bob Huget, George Mammoliti, Irene Mathysen, Bill Murdoch, Paul Wessinger, Elizabeth Witmer

Clerk: Franco Carrozza

#### Public accounts

Chair: Robert V. Callahan

Vice-chair: Dianne Poole

Members: James J. Bradley, Brian A. Charlton, Sean G. Conway, Mike Cooper, W. Donald Cousens, Pat Hayes, Paul R. Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson

Clerk: Tannis Manikel

#### Regulations and private bills

Chair: Kimble Sutherland

Vice-chair: Lawrence O'Connor

Members: Donald Abel, Will Ferguson, Derek Fletcher, Paul R. Johnson, Leo Jordan, Ellen MacKinnon, Frank Miclash, Tony Ruprecht, John Sola, Jim Wilson

Clerk: Todd Decker

#### Resources development

Chair: Bob Huget

Vice-chair: Daniel Waters

Members: Ted Arnott, Brian A. Charlton, Marilyn Churley, John C. Cleary, George Dadamo, Leo Jordan, Paul Klopp, Steven Offer, David Ramsay, Len Wood

Clerk: Harold Brown

#### Social development

Chair: Elinor Caplan

Vice-chair: Joseph Cordiano

Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer

Clerk: Lynn Mellor

### SELECT COMMITTEE

#### Ontario in Confederation

Chair: Tony Silipo

Vice Chair: Gilles Bisson

Members: Charles Beer, Marilyn Churley, Ernie Eves, Charles Harnick, Margaret Harrington, Gary Malkowski, Steven Offer, Yvonne O'Neill, Fred Wilson, David Winninger

Clerk: Tannis Manikel

### SPECIAL COMMITTEE

#### Parliamentary Precinct

Co-Chair: David Warner

Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Irene Mathysen

Clerk: Smirle Forsyth



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